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No. 120

## Senate

The Senate was not in session today. Its next meeting will be held on Monday, September 13, 2010, at 2:30 p.m.

## House of Representatives

TUESDAY, AUGUST 10, 2010

The House met at 9 a.m. and was called to order by the Speaker.

### MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 25 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes each, but in no event shall debate continue beyond 9:50 a.m.

### SUCCESSFUL GOVERNMENT INTERVENTION

The SPEAKER. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Madam Speaker, according to independent economists, the action of this Congress pulled the economy back from the brink of falling into another Great Depression.

I hope my colleagues have had a chance to review the recently released study by former Federal Reserve Vice Chairman Alan Blinder and Mark Zandi, Moody's Analytics chief economist and former economic adviser to John McCain's 2008 presidential campaign.

We have heard some from the other side of the aisle demagogue on the

value of the Recovery Act and other actions we took to stabilize this economy. Republicans loudly claim these programs were failures. But what do the actual economists say? From the study, I quote. "There is little doubt that, in total, the policy response was highly effective."

Madam Speaker, after careful analysis, the study's bipartisan authors conclude that the Nation's gross domestic product would have been 11.5 percent lower than it is today without government intervention. They conclude that an additional 8.5 million working Americans would have lost their jobs.

When this Congress took office in January of 2009, we were facing an economy in freefall with the second Great Depression in clear sight. We were in the midst of a deepening recession, the worst in 80 years. Increasing monthly job losses had peaked in January of that year at 741,000; housing prices were mired in 22 straight months of decline; foreclosures dramatically increased. The economy's contraction was worsening as gross domestic products shrank at an increasing rate each quarter. Bank failures accelerated, threatening family savings. All combined, Americans lost \$17.5 trillion in net worth because of the Bush recession. And in the midst of this economic maelstrom, in the face of the united opposition from the minority, we took action, immediate action, and passed the Recovery Act to stabilize the economy, protect teachers, firefighters, police officers, boosted the private sector

payrolls, invested in America, and spurred growth.

According to the experts from both sides of the aisle, it worked. Again quoting from the study, "The effects of the fiscal stimulus alone appear substantial." Madam Speaker, they found that the Recovery Act raised GDP by 3.4 percent, reduced the unemployment rate by 1.5 percent below where it otherwise would have been, and, most importantly, added or protected 2.7 million American jobs.

The proof is in more than just the study. Look at the GDP. Before we passed the Recovery Act, GDP was declining for the third straight quarter, including a 2.7 percent drop in the third quarter of 2008, a 5.4 percent drop in the fourth quarter, and an astonishing 6.4 percent decline in the first quarter of 2009 when we came into office. The Recovery Act slammed the brakes on that freefall. The very next quarter, GDP posted only a 0.7 percent decline, quickly followed by four straight quarters of GDP growth.

The Recovery Act also stemmed the ever increasing monthly job losses. It is no coincidence that the job losses peaked just before we acted and then immediately began to drop.

Currently, we are in our seventh straight month of private sector job growth, with 600,000 net private sector jobs created this year alone. The manufacturing sector continues to expand in fact to its highest levels. American automobile sales, initially spurred by the successful Cash for Clunkers program, continue to improve. The stock market, which plummeted throughout

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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2008 and hit rock bottom in the first quarter of 2009, has rebounded since, increasing more than 60 percent. In fact, we have recovered \$6 trillion of the \$17.5 trillion lost by American families.

Madam Speaker, the Blinder and Zandi study illustrates our intervention and investments through the Recovery and Reinvestment Act saved the U.S. economy from the second Great Depression. But, as the recent study demonstrated, we averted the worst outcome, but we still have work to do.

Make no mistake. Despite the fragile economy, our economy is growing again, and that growth is the direct result of the actions of this Congress to save American taxpayers and to save this economy.

#### RECOGNIZING ALFALIT INTERNATIONAL AND DR. PHILLIP FROST

The SPEAKER pro tempore (Mr. TONKO). Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize the extraordinary efforts and continuing success of Alfalit International in the fight against global illiteracy.

Founded in 1961 and headquartered in my hometown in Miami, Florida, Alfalit International has helped over 7 million adults and children learn to read and write. Currently, Alfalit serves people in 25 different countries around the world, with literacy programs in English, Spanish, Portuguese, and Creole.

The basic ability to read and write is the gateway to education and training, to higher earnings, and to a more productive life. With Alfalit's help, millions of people in countries worldwide are able to break the cycle of poverty, make better lives for themselves and their children, and play a larger role in their local and regional economies.

Moreover, basic literacy skills also help people to better understand the rights they have and the rights that they have been denied, and it empowers people to participate in the local and national political process.

Alfalit's approach involves teaching the basic skills and education that people need to become independent and productive members of societies.

Alfalit's approach is an efficient and cost-effective method that needs only \$60 and 10 months to teach a completely illiterate adult to read and write at a fourth-grade level. I am certain that much of the reason for this low-cost approach to basic education lies in the fact that the majority of Alfalit teachers are compassionate and supportive volunteers.

As a former educator and Florida certified teacher, I recognize the difficulties that Alfalit faces in helping those most in need. I commend its many volunteers, and encourage them to continue with their badly needed efforts.

Alfalit's tremendous success over the past 50 years is a great inspiration, and I hope to hear more about its great work in the future. I wish them also much success to Alfalit for its upcoming dinner in Miami, Florida.

Mr. Speaker, I would also like to spotlight the contributions of Dr. Phillip Frost to our South Florida community. A physician, a businessman, a philanthropist, Phillip Frost has been a long-time supporter of the arts and education. His work with the Smithsonian Institution has helped keep the institution vibrant and growing.

Phillip's passion for music led him to make generous contributions to the University of Miami's school of music and to the Florida International University art museum.

His philanthropy has helped fund much needed medical research. As a trustee at the Scripps Research Institute, he has helped one of the world's largest independent, nonprofit biomedical research organizations. Phillip Frost's lasting legacy will certainly be to inspire others to match his selflessness and generosity.

Thank you, Dr. Frost, for your service and for your humanitarian outreach. You are an inspiration and an example to our entire community. Much success for your upcoming event for the American Friends of the Hebrew University in Miami, Florida.

#### EDUCATION FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, there are many in this chamber who say, and I am among them, that we must be careful with running up the deficit and the debt because we are borrowing from the future. Dollars we borrow today will be paid back by our kids and our grandkids over the next 30 years. In fact, that is why I voted against the so-called stimulus bill. I felt it borrowed too much and invested too little in the future. It cut way back on the transportation infrastructure investments in favor of tax cuts. Borrowing money for tax cuts doesn't make sense. There is no benefit to be passed on to the future generation, and it certainly didn't put people back to work.

So as we approach the bill today, we have to keep that in mind: Are we borrowing from the future? And, will this provide benefits to people in the future?

The bill before us today would fund education. In my State, we are headed toward having the shortest school year in America. We are stealing from our future. We are stealing from our kids. If they don't get those school days this year, they can't make them up next year or after they have graduated. We are shorting them for the rest of their lives on a good education. We are going to have some of the largest class sizes in America. You can't teach a class of 38 or 40 kids in middle school. It isn't

a good educational experience. We are stealing from their future.

I am hoping today that the funds we will vote for will be used by my State to plug the holes this year. I don't want to see them sitting on that money and saying, "Oh, well, maybe things will be worse next year and we will avoid future cuts." No. The cuts are today. They are hurting kids today. They need to plug those holes today, put teachers back to work, lower the class size, get the school years back up to a reasonable length.

There are other cuts that can be taken care of by this vote again today. In my State, we are cutting back on State police even though we have one of the lowest ratios of policing in the United States of America. We have an epidemic of people in our rural areas who do not have adequate law enforcement and are being plagued by crime and drug dealing and other things. We need more State police on the roads.

Our seniors need to be maintained in their homes, Oregon Project Independence. Our community colleges are cutting back at the same time when they are seeing record enrollment from people who are trying to get a job in a bad economy. Those holes can be plugged today. But are we borrowing from the future with this legislation? Well, no. Actually, for once, we are paying for it.

Now, we are going to hear a lot of whining on the Republican side of the aisle about, oh, this is bad and this is more just borrow and spend. No. What they are really going to be whining about is the fact that we are closing some very juicy foreign tax loopholes for U.S. corporations. We have little things that are called the hopscotch of deemed dividends. We have the Cayman Islands, Bermuda. Sound familiar? And we have daisy chain investment overseas so they can avoid U.S. taxes. When we built the greatest Nation on earth, corporations paid 40 percent of the taxes in this country; today, they pay 7 percent because of loopholes like this. This bill will close the loopholes.

Now, the Republicans will gnash their teeth over that because there has never been a loophole too good for them. They want more loopholes. And they should like this part, and I have some doubts about this, but it is going to reduce food stamp benefits in the future by \$12 billion. Now, they always carry on about welfare and welfare cheats. I have got a lot of people dependent upon food stamps who were formerly hard working in my district and my State. But the balance here of essential public services, of a decent education for the future, and those cuts, I can accept. And getting rid of the corporate loopholes, I am with that every day of the week. The Republicans are for loopholes. We are against them. We are for education, we are for kids, we are for vital public services. They are not.

## STOP THE SPENDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, many people are asking why Congress is here today. I think the answer is pretty simple: We are not bankrupting the country fast enough, and so we need to come back and spend even more.

In the merciful week that Congress was not in session, my constituents had one message: Stop the spending. Obviously, Congress isn't listening.

Over the past 2 years, this administration and this Congress have increased spending by nearly 18 percent and run up more debt in 2 years than the irresponsible Bush administration did in all of its 8 years combined. Meanwhile, unemployment has increased from 7.6 percent to 9.5 percent.

Yet, the problem, in the view of the House Democrats, is that we just aren't spending enough. So we gather here today to shovel another \$26 billion at the problems. That comes to about \$330 from an average family taken directly out of the Nation's struggling economy.

Now, the gentleman from Oregon just told us, well, don't worry, it is paid for. Well, how is that? \$10 billion from increasing taxes on businesses with foreign subsidiaries.

But remember this: Businesses don't pay business taxes. Business taxes can only be paid in one of three ways: By us as consumers through higher prices; by us as employees through lower wages; and, by us as investors through lower earnings, mainly on our 401(k)s.

Another \$12 billion comes from cuts in food stamps starting in 2014, but we are going to use the savings starting now.

I tried that one out on my wife the other day. "Honey, sure we can afford that new jet ski this year. I am planning to cut our grocery budget by \$10,000 in 2014." I am sad to report, she didn't buy it.

We are told this is part of the plan to save or create jobs. Well, Mr. Speaker, this is not saving jobs. It is destroying jobs. Government cannot inject a single dollar into the economy that it hasn't first taken out of that very same economy.

We see the jobs saved or created when the government puts the money back into the economy. What we don't see as clearly are the jobs that are lost or prevented when the government first has to take that money out of the very same economy. We see the lost or prevented jobs through chronic unemployment rates and a stagnant jobs market at a time when we should long ago have moved into a normal V-shaped economic recovery.

Nor does this even guarantee saving teaching jobs. Good school boards, faced with the choice between a couple of good teachers or a pointless and overpaid bureaucrat, are probably

going to keep the teachers and fire the bureaucrat. But this bill says they don't have to make that choice. Indeed, this bill says they are actually prohibited from doing anything that would reduce their spending below last year's level.

What about Medicaid? A bipartisan group of legislators in my State of California tells us that they need this bailout money to save the State's Medicaid program. But bailing out bad management doesn't improve it.

At the peak of the good times when California was taking in more money than ever before, it was already running a deficit of over \$9 billion, almost 10 percent of its budget. Just 4 years ago, those same bipartisan legislatures voted Medicaid expansions that have increased its share of general fund spending from 14 percent to 19 percent. California offers such Medicaid options as acupuncture, chiropractic services, and psychological counseling. And now they are shocked, just shocked, that they keep running out of money.

I love my State, but deficits that are made in California should stay in California.

Mr. Speaker, with the Nation now some \$13.2 trillion in debt, that is about 93 percent of the entire U.S. economy, it is time to invoke the first law of holes: When you are in one, stop digging. And if Congress doesn't invoke that law now, it is becoming increasingly clear that the American people will invoke it in November.

## THE FEDERAL GOVERNMENT SHOULD HELP

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise this morning because three teenagers are dead.

I have made a commitment as a mother to reconcile this horrific tragedy and to ask our government for help.

I believe every American should have the opportunity to have the feeling that, when all else fails, our government will stand there and assist us where they can. Americans don't ask for handouts. They don't ask to have their lives interrupted. They simply want to know there is a Federal Government that can stand up for them. Whether or not it is a young man or woman in the United States military, whether or not it is a senior who needs Medicare or Social Security, we need to know that when there is a need that the Federal Government can fulfill, they will do so.

In the middle of July in Houston, Texas, Sajan Tamalshina, a native of Nepal, decided to drive his car through a red light. In the course of that, he hit a family that were bringing their teenagers home from a legitimate night out in a legitimate teenage club, if you will, picked up by their parents and being driven home, as families will do

across America. Rashaundra 17, Avianca 13, Detrihanna 13, were all happily and busily talking about the fun they just had, and the right way that it was done where the parents picked them up and took them home. But Sajan Tamalshina decided to drink and run the red light, and now three teenagers are dead, expelled from the car, laying on the hard cement.

The police came and looked at the situation. He refused to take an on-scene Breathalyzer, so he was taken to the hospital and, as you well know, chemical tests go about. The police even called the District Attorney who came to the scene and decided that he could be released. My heart aches for that decision, because I asked the question, Mr. Speaker, three dead children on the ground does not at least require some common sense and judgment to hold someone overnight? Parents are asking now for justice and I am asking our Nation for justice.

The police department said they contacted the U.S. Marshal. There is an investigative arm of the State Department, but yet we look like the most powerful Nation in the world, and we have our hands tied. You cannot reach the U.S. Marshal's office. They will not respond. They are talking about maybe something will happen. Because he is in Nepal, there is no diplomatic relationships with them.

Three teenagers are dead. The letter says, "Unfortunately, the United States does not have a treaty with Nepal that can serve as a basis to secure Mr. Tamalshina's extradition. In some cases, in the absence of an extradition treaty, countries may be able to expel or otherwise remove from their territory persons wanted for prosecution in another jurisdiction. However, expulsion or removal usually are not viable options when the person sought is a national of a country of refuge." As Mr. Tamalshina appears to be a national of Nepal, it is highly likely that an expulsion or other removal from their country will be possible.

The Department's criminal division works closely with Federal, State, and local prosecutors and the Department of State to seek the extradition or other lawful return of fugitives wanted for prosecution in the United States. In cases involving State charges, we can initiate an extradition only upon request of the State prosecutors. Prosecutors in our criminal division have worked with the Harris County District Attorney's Office on fugitive matters and we have discussed this case. Just a benign conversation. It doesn't matter. Three teenagers are dead.

Well, I say to the Justice Department, wake up and do something. The U.S. Marshal needs to stop hiding from my office and get over to my office to discuss why you can't do something. You can engage in diplomatic dialogue. You can ask the country of Nepal to be able to work with you to return this individual. He will not be getting the death sentence. Maybe 60 years. You

are leaving crying parents with no justice because you let someone go.

To the district attorney of Harris County, what a ridiculous thing to see three dead bodies and refusing to hold an individual whose alcohol was 1.27 to 1.62. He is legally drunk. The legal amount is 0.8. When are we going to understand that drunk driving can cause death? And to those of you who drive while drinking or drive under the influence, you are a menace to society.

Three dead teenagers. I am calling on the Justice Department and the Attorney General of the United States to recognize that they are here to protect the people of the United States, and these three dead teenagers are in need of their protection in their loss, and their families want justice. I am asking for the U.S. Marshal to show up and work with us to do something on behalf of these Americans and these families that are mourning.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 24 minutes a.m.), the House stood in recess until 10 a.m.

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. EDWARDS of Maryland) at 10 a.m.

#### PRAYER

Reverend Charles Gallagher, St. Peter's Catholic Church, Washington, D.C., offered the following prayer:

Heavenly Father, we thank You for this new day. You are the author of life. You have designed the universe and You hold it together in Your hands. You govern all things. You are the ruler of the world, the supreme lawmaker.

Guide this assembly as it participates in Your governing power. As it creates laws for the human order, may it always respect the laws Your divine order has imposed. Let us remember that the rights of the persons come not from the deliberations of men, but from the hand of God.

May this assembly always protect the life and respect the dignity of all human beings, especially those who are too weak and too small to protect themselves.

We ask this through Christ our Lord, amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Wisconsin (Mr. KAGEN) come forward and lead the House in the Pledge of Allegiance.

Mr. KAGEN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain requests for five 1-minute speeches on each side of the aisle.

#### MEETING THE EMERGENCY NEEDS ACROSS AMERICA

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. We have an obligation to the future to stop borrowing and spending, and actually, today, we're going to meet emergency needs across America and we are going to stop borrowing, but we are going to do something the Republicans really hate. We are going to close some unbelievable, abusive, foreign tax loopholes. They're called daisy chain hopscotch dividends that are deemed in Bermuda and the Cayman Islands, among other exotics.

You know, when we built the greatest country on Earth, corporations paid 40 percent of the taxes in this country. Today, Republicans are paying 7 and Republicans think that's just too much. Well, we've got a choice: cut \$10 billion in abusive foreign tax loopholes and fund our kids' education so we don't have the shortest school years and the largest class sizes in America, or continue business as usual to subsidize those corporations and allow them to hide money overseas.

I know how the Republicans vote. I'm voting with the kids.

#### RECKLESS SPENDING

(Mr. COBLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COBLE. Madam Speaker, I make infrequent appearances in the House well, but today, I feel obliged to express my disappointment for Mrs. Obama's decision to conduct an elaborate vacation in Spain. She and members of her entourage are spending lavishly, and American taxpayers will subsidize this vacation with lavish payments as well.

With the dismal American economy in the tank, this Spanish vacation, Madam Speaker, was ill-conceived, ill-timed, and generously laced with illogical arrogance. It is my belief that the First Lady owes an apology to American taxpayers for this exercise in reckless spending.

#### SUPPORTING EDUCATION JOBS AND MEDICAID ASSISTANCE ACT

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mrs. CHRISTENSEN. Madam Speaker, I don't know why my colleagues on the other side have problems with the bill we came back to pass today. I guess it's because it helps poor and middle class people.

The Education Jobs and Medicaid Assistance Act will save or create 310,000 jobs in this country: the teachers our children need as they return to school, policemen, firefighters, and others who keep us safe, and nurses who provide us tender loving care when we need it most. It increases Medicaid so more poor families can get health care. If this is a special interest bill as they are telling the American people, then those are the kinds of special interests Democrats have and will always have: people who need our help to go to work every day and take care of their families.

Republicans would rather continue tax cuts for the wealthiest 1 percent of people and support corporations who take jobs and send them overseas which would only increase the deficit their policies created in the first place.

This bill is paid for and will reduce the deficit by \$1.4 billion and is just another example of Democrats being responsible with our country's finances and responsive to the needs of our constituents. And their opposition is another example of Republicans misleading the people and trying to take us back to the same failed Republican policies that got us in the ditch in the first place.

#### TRIBUTE TO CORPORAL MAX W. DONAHUE, UNITED STATES MARINE CORPS

(Mr. COFFMAN of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN of Colorado. United States Marine Corporal Max W. Donahue enlisted in the Marine Corps in 2006 from Highlands Ranch, Colorado, and had served two previous combat tours in Iraq before deploying to Afghanistan.

Corporal Donahue was a military policeman assigned as a working dog handler with the First Marine Expeditionary Force Headquarters Group, 1st Marine Expeditionary Force, Camp Pendleton, California.

Before he was deployed to Afghanistan, Corporal Donahue explained to his mother why he wanted to go there. "There's not a lot of guys who can do what I can do, and my buddies need me there," recounted his mother, Julie Schrock.

On August 4, Corporal Donahue was on a mission in Helmand Province, Afghanistan, with his German shepherd, Fenji, when he was gravely wounded by

an improvised explosive device and tragically succumbed to his wounds on Saturday, August 7, 2010.

Corporal Max W. Donahue was a shining example of United States Marine Corps service and sacrifice. As a retired Marine Corps combat veteran, my deepest sympathies go out to his family, his fellow Marines, and all who knew him.

#### GOP LEADERS CHOOSE TAX CUTS FOR WEALTHIEST FEW OVER TEACHERS, NURSES, AND POLICE OFFICERS

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Madam Speaker, today's legislation clearly demonstrates the differences between the two parties. Congressional Republicans have made their choice clear. The GOP is calling for an extension of the Bush tax cuts for the wealthiest few and saddling Americans with nearly \$700 billion in debt versus our Democratic paid-for bill that creates and maintains 310,000 jobs for hardworking Americans.

Our legislation will save or create more than 310,000 American jobs for teachers, firefighters, police officers, and nurses. These funds are needed now to prevent layoffs and actually rehire teachers and prevent law enforcement officers from losing their jobs.

Bottom line is congressional Republicans would rather extend the Bush tax cuts for the wealthiest few and saddle Americans with a \$700 billion debt. Our Democratic legislation is fully paid for by closing costly corporate tax loopholes that allow corporations to shift American jobs overseas. Democrats are moving America forward while the congressional Republicans want to take us back to the exact same failed policies of the Bush administration that drove us into this economic ditch.

#### AFGHAN HUMANITARIANS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, this weekend, we received sad and disturbing news from Afghanistan as 10 humanitarian aid workers, six of them Americans, were killed in a barbaric Taliban attack.

Among those killed was one of my constituents, Glen Lapp of Lancaster, as well as Brian Carderelli, whose family I have worked with on humanitarian aid projects. The team leader, Tom Little, served with his wife and daughters in Afghanistan for over 30 years. They were ambushed while traveling from an isolated village where they provided eye care and other medical assistance. The group they were working with, International Assistance

Mission, has been working in Afghanistan for decades, reaching out to heal the sick and restore sight.

Because of the barbaric actions of the Taliban and these senseless killings, the people of Afghanistan will lose the valuable assistance of individuals with special medical skills to help those living far away from modern medical services.

I know that Glen, Brian, Tom and all of the volunteers will be dearly missed and we honor them for their courage and love for the Afghan people and their service to them.

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#### SUPPORTING EDUCATION JOBS AND MEDICAID ASSISTANCE ACT

(Mr. ROTHMAN of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHMAN of New Jersey. Madam Speaker, just say no? That's not a solution. The Democrats in the House of Representatives want to find solutions and pay for them, and that's what we are doing.

Earlier this year, 42 governors wrote to us and said they needed help paying for health care for the poorest people in their States and 42 governors were out of money. So the Democrats came up with a solution to provide money to these States so that they could provide health care to their poorest people, and we found a way to pay for every penny of it and not add a penny to the deficit and this way help those poor people who needed it, help the governors, and reduce the burden of taxes on local and State taxpayers. We did it by cutting loopholes for corporations who were getting a tax break for taking their companies overseas.

See who votes which way. The Democrats came up with the solution. We paid for every penny of it. We are helping the States, the taxpayers, and those in need. We are moving the country forward.

We will not allow this country to go back to the policies that brought us to the brink of disaster.

#### TIME TO RECLAIM OUR COUNTRY

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, how bad does it have to get?

Over 20 million Americans are out of work or have given up looking for work. Federal spending is out of control, and congressional Democrats won't even propose a budget.

The administration intentionally takes actions to weaken immigration laws; Federal judges assault our time-tested values; and the administration wants to hike taxes on individuals, small businesses, and investments, which will kill jobs.

How bad does it have to get before Americans reclaim our country?

#### CRITICAL ASSISTANCE TO STATES

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Madam Speaker, I rise today to support the legislation we will be voting on in a few hours. It isn't perfect, but it will provide critical assistance to States' strapped budgets. It will save or create more than 300,000 jobs.

Now, during the debate over restoring the unemployment insurance program, the Republicans whined out here on floor that the bill wasn't paid for. I will remind them the bill before us is paid for and, in fact, will reduce the deficit by nearly \$1.5 billion. So we shouldn't hear one single word from now till 3 o'clock about it ain't paid for. It is paid for.

I will say it again. It will save 300,000 jobs.

Still, I bet every Republican will vote "no." Why? Not because they think it's a bad policy, but because they want to do everything in their power to make certain that President Obama can't get this country going again. They have been dragging their feet for 18 months, 20 months now. Come November, I think they are going to find it was a dumb policy.

#### EXTEND TAX CUTS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, instead of calling Congress back into session to protect special-interest unions and add more tax increases, we should be focusing on policies that give American families incentives to invest and create jobs.

Americans should be concerned now about the job-killing bill and the tax increase we are likely to see before the end of the year. Also, after the election in November, Washington liberals will try to ram through a national energy tax, remove the right to a secret workers' ballot, and continue to skyrocket America's deficits with reckless spending.

In an effort to prevent this job-killing, lame-duck tactic, I support Congressman TOM PRICE's resolution that eliminates a lame-duck session. This promise is critical in order to represent the will of the American majority, who have serious concerns about reckless spending and more taxes, as over 20 million citizens are out of work or have given up looking for work.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

# ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

## EMERGENCY BORDER SECURITY SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 2010

Mr. PRICE of North Carolina. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6080) making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6080

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:*

### TITLE I

#### DEPARTMENT OF HOMELAND SECURITY

##### U.S. CUSTOMS AND BORDER PROTECTION

##### SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$253,900,000, to remain available until September 30, 2011, of which \$39,000,000 shall be for costs to maintain U.S. Customs and Border Protection Officer staffing on the Southwest Border of the United States, \$29,000,000 shall be for hiring additional U.S. Customs and Border Protection Officers for deployment at ports of entry on the Southwest Border of the United States, \$175,900,000 shall be for hiring additional Border Patrol agents for deployment to the Southwest Border of the United States, and \$10,000,000 shall be to support integrity and background investigation programs.

##### BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For an additional amount for “Border Security Fencing, Infrastructure, and Technology”, \$14,000,000, to remain available until September 30, 2011, for costs of designing, building, and deploying tactical communications for support of enforcement activities on the Southwest Border of the United States.

##### AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for “Air and Marine Interdiction, Operations, Maintenance, and Procurement”, \$32,000,000, to remain available until September 30, 2012, for costs of acquisition and deployment of unmanned aircraft systems.

##### CONSTRUCTION AND FACILITIES MANAGEMENT

For an additional amount for “Construction and Facilities Management”, \$6,000,000, to remain available until September 30, 2011, for costs to construct up to 2 forward operating bases for use by the Border Patrol to carry out enforcement activities on the Southwest Border of the United States.

## U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

### SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$80,000,000, to remain available until September 30, 2011, of which \$30,000,000 shall be for law enforcement activities targeted at reducing the threat of violence along the Southwest Border of the United States, and \$50,000,000 shall be for hiring of additional agents, investigators, intelligence analysts, and support personnel.

### FEDERAL LAW ENFORCEMENT TRAINING CENTER

### SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$8,100,000, to remain available until September 30, 2011, for costs to provide basic training for new U.S. Customs and Border Protection Officers, Border Patrol agents, and U.S. Immigration and Customs Enforcement personnel.

### GENERAL PROVISIONS

#### (RESCISSIONS)

SEC. 101. From unobligated balances made available to U.S. Customs and Border Protection “Border Security Fencing, Infrastructure, and Technology”, \$100,000,000 are rescinded: *Provided*, That section 401 shall not apply to the amount in this section.

### TITLE II

#### DEPARTMENT OF JUSTICE

SEC. 201. For an additional amount for the Department of Justice for necessary expenses for increased law enforcement activities related to Southwest border enforcement, \$196,000,000, to remain available until September 30, 2011: *Provided*, That funds shall be distributed to the following accounts and in the following specified amounts:

(1) “Administrative Review and Appeals”, \$2,118,000.

(2) “Detention Trustee”, \$7,000,000.

(3) “Legal Activities, Salaries and Expenses, General Legal Activities”, \$3,862,000.

(4) “Legal Activities, Salaries and Expenses, United States Attorneys”, \$9,198,000.

(5) “United States Marshals Service, Salaries and Expenses”, \$29,651,000.

(6) “United States Marshals Service, Construction”, \$8,000,000.

(7) “Interagency Law Enforcement, Interagency Crime and Drug Enforcement”, \$21,000,000.

(8) “Federal Bureau of Investigation, Salaries and Expenses”, \$24,000,000.

(9) “Drug Enforcement Administration, Salaries and Expenses”, \$33,671,000.

(10) “Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses”, \$37,500,000.

(11) “Federal Prison System, Salaries and Expenses”, \$20,000,000.

### TITLE III

#### THE JUDICIARY

##### COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

##### SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$10,000,000, to remain available until September 30, 2011: *Provided*, That notwithstanding section 302 of division C of Public Law 111-117, funding shall be available for transfer between Judiciary accounts to meet increased workload requirements resulting from immigration and other law enforcement initiatives.

### TITLE IV

#### GENERAL PROVISIONS

SEC. 401. Each amount appropriated or otherwise made available under this Act is designated as an emergency requirement and necessary to meet emergency needs pursuant

to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 402. (a) Notwithstanding any other provision of this Act or any other provision of law, during the period beginning on the date of the enactment of this Act and ending on September 30, 2014, the filing fee and fraud prevention and detection fee required to be submitted with an application for admission as a nonimmigrant under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)) shall be increased by \$2,250 for applicants that employ 50 or more employees in the United States if more than 50 percent of the applicant's employees are nonimmigrants admitted pursuant to section 101(a)(15)(H)(i)(b) of such Act or section 101(a)(15)(L) of such Act.

(b) Notwithstanding any other provision of this Act or any other provision of law, during the period beginning on the date of the enactment of this Act and ending on September 30, 2014, the filing fee and fraud prevention and detection fee required to be submitted with an application for admission as a nonimmigrant under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) shall be increased by \$2,000 for applicants that employ 50 or more employees in the United States if more than 50 percent of the applicant's employees are such nonimmigrants or nonimmigrants described in section 101(a)(15)(L) of such Act.

(c) During the period beginning on the date of the enactment of this Act and ending on September 30, 2014, all amounts collected pursuant to the fee increases authorized under this section shall be deposited in the General Fund of the Treasury.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. PRICE) and the gentleman from Kentucky (Mr. ROGERS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

### GENERAL LEAVE

Mr. PRICE of North Carolina. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 6080.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. PRICE of North Carolina. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise to urge adoption of H.R. 6080, a bill to address the urgent need for enhanced security on our Southwest border. Violence on the Mexican side of the border has intensified because of turf battles among murderous transnational criminal organizations competing for drug, alien, and weapon trafficking business. The bill would provide \$600 million to enable the Department of Homeland Security, the Department of Justice, and the Judiciary, in cooperation with the National Guard, to counter this threat, building on the current border enforcement surge.

This funding is urgently needed to counter the pressures our law enforcement agencies and our border communities currently face.

Madam Speaker, the bill is fully offset. It includes a \$100 million reduction

in the Department of Homeland Security's border security infrastructure and technology account due to an ongoing reassessment of the SBInet program. The bill also increases, for 5 years, the cost for two visas which permit foreign workers to come and work in the United States. These fee increases would apply only to companies with more than 50 employees and for whom the majority of their workforce is visa-holding foreign workers.

The House passed a very similar version of this border security supplemental bill 2 weeks ago, partially offset and partially on a well-justified emergency basis. Because the Senate amended the House-passed bill, we are voting on the package again today.

The most significant change the Senate made was to fully offset the bill, adding the visa fee increases. Because of the Constitutional requirement that revenue-generating bills initiate in the House, the bill before us today has been introduced as a new bill but with provisions identical to the Senate-passed bill. Therefore, should the House approve this bill today, it will need to be taken up again by the Senate, hopefully at the earliest possible date.

For the Department of Homeland Security, the bill provides a total of \$394 million, including: \$176 million to hire a thousand new Border Patrol agents. That funding will bring us to a total of 21,370 Border Patrol agents, a 70 percent increase since 2006. \$68 million to retain 270 Customs and Border Protection officers and hire 250 additional officers. With this bill, there will be over 20,700 CBP officers working to enhance port of entry operations.

There is \$32 million to procure two additional unmanned aircraft systems; \$80 million to U.S. Immigration and Customs Enforcement, ICE, which includes \$30 million to pay for four new Border Enforcement Security Task Forces, training and support for Mexican law enforcement partners, and a staffing surge for ICE's criminal alien removal efforts. The remaining \$50 million will be used to hire additional ICE investigators, intelligence analysts, and support personnel for a permanent expansion of ICE's presence along the border. These new personnel will focus on disrupting the criminal enterprises that fuel violence in Mexico.

There is \$6 million to construct two new forward operating bases for the Border Patrol.

For the Department of Justice, the bill provides \$196 million in support of investigations and crime control along the Southwest border, including \$38 million for the Bureau of Alcohol, Tobacco, Firearms, and Explosives; \$34 million for the Drug Enforcement Administration; \$30 million for the U.S. Marshals Service; and \$24 million for the Federal Bureau of Investigation.

□ 1020

Finally, for the judiciary, the bill provides \$10 million to meet increased workload requirements resulting from

immigration and other law enforcement initiatives.

I want to recognize especially, Madam Speaker, the hard work of our border State Representatives who were instrumental in getting the supplemental border security bill initially passed. They have signaled their full support for the House to take up this latest version from the Senate, and we will hear from a number of them during the debate this morning.

Madam Speaker, I urge my colleagues to adopt this bill to address these critical border security challenges which, while they are most acute on the southwest border, constitute a serious national threat which we ignore at our peril.

With that, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, it's been now 47 days, almost 6 weeks, since our subcommittee marked up the fiscal 2011 appropriations bill that would fund the Department of Homeland Security. Forty-seven days. Normally, after you mark up a bill in subcommittee, it immediately goes to the full committee, and then immediately to the floor of the House for us to act on the entire appropriations for the entire Department of Homeland Security.

For some reason, the Democrat leadership in the House chose to delay the markup of the funding bill for the Department of Homeland Security now 6 weeks. And instead, they're bringing up this piecemeal supplemental bill that would make a nice amendment to the appropriations bill for the Department of Homeland Security if we could get that bill to us. And this supplemental, if passed, has to go back to the Senate, who is gone for the summer, before it can become law, even if we pass it here. And number two, it won't take effect until next year.

So, Madam Speaker, I'm asking, why are we here? Why did we come back for this? Because it can't take effect until next year and it can't take effect until the Senate comes back to pass on it. And they're gone until September. So why are we here? I don't know. I don't know. Forty-seven days that we have been waiting to bring up funding for the whole Department of Homeland Security. Homeland security, flippantly dealt with by the Democrat majority.

Now, here's what this bill before us today won't do. This bill won't address the massive and inexplicable cuts the President proposed to cut the Coast Guard and to the Customs and Border Protection's aerial resources. The President submitted a budget to the subcommittee cutting Coast Guard, slashing the Border assets. The subcommittee in our markup corrected that, but we can't get that bill to come onto the floor.

This bill won't do enough to improve our interdiction capabilities and stop the flow of drugs into northern Mexico

and through the source and transit zones. This bill won't address any of the post-Christmas Day attack needs for aviation security or watchlisting. All of these were dealt with in the regular bill, if we could get it before the House. But this piecemeal approach doesn't work. And this bill surely won't address the numerous other homeland security challenges facing the country that range from emergency preparedness, to immigration enforcement, to cybersecurity. Simply put, this bill does nothing to make up for the fact that the fiscal 2011 Homeland Security bill is nowhere in sight.

Why are we taking up this piecemeal approach? So it's all about, I guess, politics. It's all about politics. I ask the majority, where's the bill? Bring us the bill. We can amend it with this supplemental, make a modest change in the bill. Just bring us the bill.

Madam Speaker, our country's facing many grave threats to our security. In the wake of the Christmas Day, Times Square, and Fort Hood attacks, and with a drug war waging along our border, it's a complete dereliction of duty by the Democrat majority to avoid moving the fiscal 2011 Homeland Security appropriations bill.

So let's be absolutely clear about what we are doing here today. Yes, we are improving, we would improve the House Democrats' incomplete and deficit-increasing border security supplemental, but this bill won't take effect until next year. Why are we here? According to the nonpartisan Congressional Budget Office, not a single dime of this bill will be spent until fiscal 2011.

If they had brought forth the Homeland Security appropriations bill for the whole Department, we could have avoided a supplemental altogether. We could have made the changes in that bill that this bill suggests, perhaps, and all would have been fine. Homeland security would have again reached the importance that it has in the past. Instead, now homeland security is sort of a secondary thought, apparently, by the majority, because they won't bring us the bill.

So what that tells me is that we should be addressing all of our homeland security issues here today, not just putting a Band-Aid on some of our urgent border security needs with this supplemental. In fact, this supplemental, as I have said, might have made a very worthwhile amendment to the full security appropriations bill if the majority would bring it out and let it be discussed. But they control the rules, and they've said, no, we don't want to discuss the whole matter of homeland security. We want to address just these small pieces of it.

So again we ask, where's the bill and why are we here? The fact of the matter is that the Democrat majority should be governing and Congress should be addressing our urgent security needs in the most responsible and disciplined way possible. Sadly, as



demonstrated by the Democrat majority's repeated attempts to bend the rules and their lethargic pace and inaction on critical security issues like funding for our brave troops, that is certainly not the case this year. The bottom line is we desperately need to get our homeland security right. We need to address our security needs with real solutions, not partial fixes that circumvent regular order and that employ questionable offsets, as this bill does.

Madam Speaker, I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Speaker, our distinguished ranking minority member has asked a legitimate question, and that is, where is the 2011 regular Homeland Security bill? He says it's nowhere in sight. He knows very well it's clearly in sight. The 2011 Homeland Security appropriations bill has been marked up in subcommittee. It's been put together with full bipartisan participation. It directly addresses the Coast Guard and border security matters that he has stressed. And this emergency measure here today in no way detracts from that.

But this is an emergency. This is something that needs to be urgently addressed. Unfortunately, the Senate earlier stripped out these border provisions from the supplemental appropriations bill, and so we are here today passing this and getting this done at the earliest possible moment.

□ 1030

I would now like to yield 2 minutes to a subcommittee member who has been an important participant in putting this effort together, the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Madam Speaker, I want to thank the chairman for his great work on this issue. He has been the champion on these issues and responsive to the needs of our borders.

Border security is one of my highest priorities. I represent 785 miles of the Mexican border, more border with Mexico than any other Member of Congress. As the vice chairman of the Homeland Security Appropriations Committee, we have made making our border more secure a high priority.

Earlier this month, the House passed a supplemental appropriations bill that continued funding for operations in Iraq and Afghanistan and in addition included \$701 million in much-needed border security funding. This is funding that our men and women on the border are asking for and need to get the job done. We all know the violence in Mexico has escalated. We need to ensure the U.S. borders are not left vulnerable.

This new version is much smaller than the previous one cut by the Senate. This bill does not have the funding for Operation Stonegarden, a much-needed program supported by many bipartisan Members. Nonetheless, I support the chairman on his effort and thank him for his leadership.

This bill will target funds just as the previous House-passed supplemental did. This includes an additional 1,000 Border Patrol agents and 250 additional officers at our land ports of entry, which are critical and important at this point in time. This is a significant step towards securing our border, and I want to thank the chairman for his leadership in this area and ensuring that the border becomes a priority.

Mr. ROGERS of Kentucky. Madam Speaker, I yield such time as he may consume to the ranking Republican on the full committee, the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Madam Speaker, I very much appreciate my colleague yielding. I thank not only the gentleman for yielding, but the chairman as well, for their cooperative working relationship with me. On the other hand, Madam Speaker, it really pains me to have to be here today and comment on this emergency bill.

Securing our borders, thwarting ruthless drug cartels, and enforcing immigration laws should unquestionably be among our highest priorities. But why are we here today, with only seven weeks remaining in this fiscal year, debating a supplemental that CBO says will not take effect until next year? So we are going to solve a problem for 2010 that can't even begin to be enforced until next year. This bill will have to go back to the Senate because of the way it is structured.

Meanwhile, there is no plan to complete the vital FY 2011 Homeland Security and Defense appropriations bills. The chairman mentioned that the homeland bill had been marked up, et cetera, but it will not be in the full committee, no chance to amend it on the floor, et cetera. It is business as usual.

This bill is only on the floor today to allow the Democratic majority to claim that they care about border security. It won't go into effect soon. It won't solve our border problems, and it makes a mockery of our annual appropriations process, where these problems should be handled.

Even the bill's \$600 million worth of new spending is paid for with questionable tactics. Avoiding cuts to wasteful government spending, the Democratic majority is penalizing businesses with increased fees. How are de facto tax increases going to increase jobs and help our economy? And we will be paying for these so-called emergency funds for some time because they will result in increased operating costs for future years as well.

Madam Speaker, with the drug war continuing to escalate along the Southwest border and the States clamoring for help, and with the cost of illegal immigration, the American people expect real solutions from Congress. Instead, we have another round of throwing money at problems with no real understanding of how we are going to get out of this mess.

We should have already completed fiscal year 2011 appropriation bills for

homeland security and defense, as has been suggested, and taken care of these problems in an orderly and rational way. Instead, we are left with haphazard schemes that seem more like political cover than real budget solutions to our security. This is not the way the Congress should get its work done.

Mr. PRICE of North Carolina. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CUELLAR), another of our border members, and the chairman of our authorizing Subcommittee on Border, Maritime and Global Counterterrorism.

Mr. CUELLAR. Madam Speaker, I certainly want to thank the chairman, Chairman PRICE, for the leadership in this emergency funding to be allocated to the Department of Homeland Security and the Department of Justice for enhanced Southern border security. And to all the border members, I as a border member understand why this is very important. Also I want to thank the ranking member, Mr. LEWIS, and also Mr. ROGERS, for the work they are doing on this issue also.

We join here today at a critical juncture of our border and homeland security. Now more than ever we need to allocate additional resources to our Nation's border. As the chairman of the Homeland Security Subcommittee for Border, Maritime and Global Counterterrorism, and as a Congressman that represents 250 miles of the Texas-Mexico border, where I drink the water, breathe the air, understand the border very well, I can tell you that the communities I represent are on the front line of our Nation's border and homeland security.

I recently got an official briefing by the Assistant Secretary of ICE, Mr. Morton, and got some of the most up-to-date threats facing us on our border. And certainly for our Members, I sure would like to show you some videos for anybody interested in seeing what is happening across the river.

The threat is real, and we need to take action now, whether it is the 1,000 Border Patrol agents, the ICE agents, ATF, judiciary, or prosecutors that we are trying to add to CBP for our land ports and our airports, this is important.

I am a little disappointed that the Senate took out the Operation Stonegarden, but we are working with Chairman PRICE to put that money back because that money is important for our local law enforcement.

So, Madam Speaker, as a member of the border delegation, I certainly ask the House and Senate leadership to support this and other border security funding. This is not a Texas issue, nor a partisan issue. This is an American issue for the safety.

So we stand up today for our communities, for our Federal, State, and local law enforcement to give them the additional resources that they need to secure our border.



□ 1040

Finally, this is one step, and a critical step, forward in our ability to detect, deter, and disrupt illegal activity along the U.S.-Mexico border.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Speaker, I would now like to yield 2 minutes to the gentlewoman from Arizona (Ms. GIFFORDS), another border member who from her first day here has worked tirelessly on this border security issue.

Ms. GIFFORDS. Thank you, Chairman PRICE, I appreciate your leadership on this issue, and the other border members who appreciate this difficult situation that we have.

Repeatedly we heard from our colleagues across the aisle, why are we here? Why are we here? Well, we are here because we are sent here by our constituents to be their voices in Washington. And my constituents are the most heavily impacted in terms of illegal immigration. My sector had over 242,000 apprehensions, over 1.2 million pounds of marijuana seized last year. Mr. Chairman, that is why we are here.

We are here because residents in my district are sick and tired of all of the partisan bickering and the political games around securing the U.S.-Mexico border. That is why we are here.

We heard from across the aisle it is all about politics. Well, let me tell you about politics. This is the third time that we are here. The first time we were here on July 1st, the second time on July 28th, and now here on August 10th. The House is saying yes to more Border Patrol agents on the ground. We are saying yes to agents at the ports of entry. We are saying yes to more forward operating bases.

Why are we here? We are here because the Congress cannot turn its back on the American people, and those people who are most heavily impacted by illegal immigration. We are here because the Senate has refused to do the responsible thing and yet again for the third time has sent this back to us.

Politics? Well, the Senate needs to come back and deal with this issue. For all of the talk about securing the border and protecting American citizens, here we have an opportunity to actually do that, and we are not.

We are here because my constituents are sick and tired of all the political rhetoric. They want to see us get the job done.

This should be a bipartisan issue. I urge the Senate to return immediately to pass this bill.

Mr. ROGERS of Kentucky. Will the gentlelady yield?

Ms. GIFFORDS. I yield to the gentleman from Kentucky.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ROGERS of Kentucky. I yield the gentlelady 2 additional minutes.

Ms. GIFFORDS. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Is the gentlelady aware that the President proposed to cut the Border Patrol in his budget submission to the Congress?

Ms. GIFFORDS. To me, it doesn't matter what the President of the United States proposes along the U.S.-Mexico border. I am a Member of the United States Congress. I am sent here by my constituents to fight for their needs. That is why I repeatedly asked for the National Guard to be deployed to the border.

Mr. ROGERS of Kentucky. Reclaiming my time.

The SPEAKER pro tempore. The gentlewoman has the time; the gentleman yielded to her.

Ms. GIFFORDS. That is why it was so important to have the National Guard deployed on the border. We are here because today the National Guard is deploying to Arizona and the Southwest border. They were designed to be deployed not in a vacuum but with increased members of the Border Patrol that will be trained, that will have equipment, that will have—

Mr. ROGERS of Kentucky. Wouldn't the gentlelady prefer that the Congress pass the whole bill for the Department of Homeland Security rather than this piecemeal approach?

Ms. GIFFORDS. Madam Speaker, for my constituents, the people that reside in my district, what matters is that we get the job done. They don't care about all of the partisan back and forth and this and that, what happens here.

Mr. ROGERS of Kentucky. The point is that we are not getting the job done because we will not pass the regular bill.

Ms. GIFFORDS. This is my time, sir.

When the National Guard was blindly deployed early this month—which took a lot of work from many of us to have the National Guard back on the border—they were designed to be deployed not in a vacuum. They were designed to have members of our Border Patrol trained up so that the Guard wouldn't have to be there forever and that we would have increased forward operating bases, that we would have an increased aerial surveillance system, that we would have a beefing up at the ports of entry.

This was all designed with this emergency supplemental funding in mind, and the Senate blew it again. This is not a partisan issue. This is something that Democrats and Republicans can do to fight for what's right for the people of America.

Madam Speaker, I serve on the House Armed Services Committee. We pass very large budgets securing America's interests, and it is critical that we get this job done.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I understand the gentlelady from Arizona's frustrations. In fact, I sympathize with her. I made the same arguments she has just made

in trying to bring up to the floor of this House the funding bill for the entire Department of Homeland Security, for the Coast Guard and for the Secret Service and for the Border Patrol and for all of the other agencies, the 22 that make up the Department. I made those arguments: Why are we wasting time? Let's get on with it. And yet the majority will not bring up the bill that funds the whole Department.

We could have cured this months ago. It's been 6 weeks, Madam Speaker, since we passed the bill in the subcommittee that would have taken care of all these problems.

And, yes, I want to see politics out of it, too, but you're in control, and you won't let us bring that bill to the floor. Instead, we are faced with this little piecemeal bill here, trying to correct the President's slash of the Border Patrol when he submitted his budget to the Congress.

So, yes, I sympathize with the gentlelady. I wish we could get that bill up here, too, and stop playing politics with national security.

Madam Speaker, I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Speaker, I yield 2 minutes to a distinguished member of our authorizing committee, Representative JACKSON LEE.

Ms. JACKSON LEE of Texas. Madam Speaker, I am very glad that Democrats are doing the responsible thing, and we know we need to be doing more. This is an important step because it substitutes for some of the misguided legislative initiatives that States are promoting, such as Arizona and Texas.

I know there is a sense of desperation, but we on this side of the border have to ensure and have to be able to move forward on border security, and as well for those of us who are arguing vigorously for the comprehensive approach, addressing the needs of so many who are here simply wanting to work. We have to look to both directions.

So I am rising to support this bill and this legislation, recognizing that there are people who are crying their heart out, saying when is this Congress going to do comprehensive immigration reform? But just as we have to clean this up, we've got a problem in those on the other side of the aisle not recognizing that we have to do this as a total package. But the Border Patrol agents funding, the CBP funding, \$68 million to hire 250 new Customs and Border Protection personnel is important. The tactical communications is important.

For those of us who live on the border, who have been to the border, who know border areas, we understand that the value of this is also to save lives, save the many people who are coming here for work but are dying in the desert, children, women who are coming here—yes, out of desperation, but still they are coming and dying in these deserts. This has to be stopped.

We do need more monies for ATF and DEA. In my own city of Houston, it is a center point, unfortunately, for a lot of drug cartels and gunrunning. So I know that there is an emergency. It is relevant to do this today.

But I wish my friends as well would stop blocking us from looking holistically at real, comprehensive immigration reform, so that people who want to come here to work can, so that young people who want to go to school can, so that families who are innocent and want to be here without being jeopardized by phony laws and can stay here and pay and invest into this Nation.

I support this legislation.

Madam Speaker, I am pleased to come before you today in support of H.R. 6080, the "Emergency Border Security Supplemental Appropriations Act of 2010,"—a bill that appropriates \$600 million for border security activities along the Southwest Border, including \$254 million for Customs and Border Protection, of which \$176 million would be used to hire additional border patrol agents, as well as \$196 million for the Justice Department, and \$80 million for Immigration and Customs Enforcement.

As Chairwoman of the Homeland Security Transportation Security & Infrastructure Protection Subcommittee, I want to thank Chairman OBEY and Ranking Member LEWIS for your leadership on this timely legislation. This is an important bill that provides the necessary funding that is essential to the assistance our Border States so greatly needs.

Our Border States are frustrated and in need of targeted assistance. In recent months, I have attended a number of different hearings, meetings with local and state officials, and press conferences on immigration, combating the drug trade, and improving the border, and in almost all instances, I have heard the same comment: Border States are frustrated. The deeply misguided Arizona Law, (SB1070) for example, is an expression of that frustration. Unless we want to see more of a backlash, we in the Federal Government must do more to help our Border States, which is vital to securing our nation and upholding our immigration laws, and helping local and state officials secure our Border States.

The United States continues to fight the battle against the powerful drug trafficking organizations that have plagued our sister cities just across the border with violence. We have been fortunate thus far that for the most part the violence has not spilled over into the United States, but we cannot depend on being insulated forever. Instability abroad is a danger to stability at home, and we have a vested interest in helping our neighbors to the southwest power away from the criminal organizations that have threatened the safety of their citizens and brought drugs into our country.

First of all, we need to do more than just provide "boots on the ground" to help secure our borders. While deterrence through additional personnel is essential to improving security, several members of the law enforcement community have stressed the importance of providing more resources for investigators and detectives, who can help to ferret out and dismantle the criminal activities taking place on our borders.

Moreover, while federal agencies have improved their coordination with the Border

States, communication within local and State authorities continues to be problematic. Communication in disperse rural areas presents a particular challenge. At a hearing on the Merida Initiative, I heard the moving testimony of a rancher from rural Arizona, Mr. Bill McDonald. He pointed out how a lack of resources and a rapid turnover rate make communication extremely important, but extremely lacking. These rural areas, and the people who live there, are in many cases the most vulnerable to human traffickers and drug traffickers.

There is a desperate need for Border States to receive the necessary support to effectively secure our borders from threats and ensure a safe and stable environment for our border residents. More robust, well funded, and well resourced law enforcement systems are exactly what our Border States and residents demand.

These appropriations to improve law enforcement efforts at our Border States are only a small part of more comprehensive reforms to our immigration system. Reforms that the American people are crying out for and that I sincerely hope my fellow Members will stand behind. This legislation honors our first responsibility to protect the American people by giving law enforcement the tools they need to address the threat of violence near the U.S.-Mexico border. With investments in expanding the number of Border Patrol agents and Customs and Border Protection officers, improving our border surveillance efforts, and increasing resources for anti-smuggling investigations, we are tackling our border security challenges head on. This is one of the central pillars of bipartisan comprehensive immigration reform.

The SPEAKER pro tempore. The time of the gentlewoman has expired. Members should heed the gavel.

Mr. ROGERS of Kentucky. Madam Speaker, I yield such time as he may consume to the ranking Republican on the Judiciary Committee, Mr. SMITH of Texas.

Mr. SMITH of Texas. I want to thank the gentleman from Kentucky, a senior member of the Appropriations Committee, for yielding me time.

Madam Speaker, I support the passage of this bill. Additional funds for border security are always a step in the right direction, but if the Democrats were serious about immigration enforcement, they would include more funds for interior enforcement.

U.S. Immigration and Customs Enforcement says it doesn't have enough resources to enforce our immigration laws, yet this bill contains no funds for work-site enforcement that is needed to protect jobs for citizens and legal immigrants.

Last week, an illegal immigrant drunk driver killed a nun and critically injured two others. He had two earlier convictions for drunk driving. If ICE had sufficient funds for enforcement, this tragedy could have been avoided.

Madam Speaker, in many ways, this bill represents an opportunity lost, and I regret that even though I support passage of the bill.

Mr. PRICE of North Carolina. Madam Speaker, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I will yield myself such time as I may consume in closing.

Again, I wish we had, Madam Speaker, the bill that funds the entire Department of Homeland Security before us instead of this piecemeal approach. I don't fathom why the majority will not bring forth that bill that's been marked up since 47 days ago—6 weeks—and yet they refuse to bring it out. Instead, they bring this piecemeal bill out there that only deals with a particular aspect of the entire Homeland Security bill.

And, number two, as I've said before, even if we pass this bill here, it still has to go back to the Senate before it can become law, and they're gone until the middle of September. And this bill won't spend any money until next year anyway.

So that's why I say why are we doing it this way? Why can't we just bring out the bill and deal with it? It includes all of this as well.

And yet the majority refuses to do that. It's all about politics, Madam Speaker. We are all concerned about that border, about the crime that is taking place, about the illicit drugs coming across, illegal people coming across. And we have devoted so much of the Nation's energy and monies to try to seal that border to little effect, it seems.

And yet if we had the whole Department of Homeland Security budget here on the floor so that we could at once deal with Coast Guard, with Secret Service, with Border Patrol, with enforcement of the laws against illegal immigration, if we had all of those matters before us, we could deal with it holistically. But they won't do it. Instead, we have this bill which won't become law until next year anyway. So I ask the Speaker, why did you call us back in session on this bill knowing that it could not become law until next year anyway? Puzzlement.

Madam Speaker, I yield back the balance of my time.

□ 1050

Mr. PRICE of North Carolina. Madam Speaker, it seems that a good part of the debate this morning has been about what this bill is not. Both sides have mentioned the need for comprehensive immigration reform, and I couldn't agree more. We cannot enforce our way out of this immigration challenge. I have never met a border security officer who claims otherwise.

This is a much broader challenge than simply enforcement or securing the border. I would hope most Members understand that and understand the urgency of moving ahead on comprehensive immigration reform.

What is before us this morning is an emergency measure dealing with some border security challenges arising from the cartel violence and gang activity in Mexico which requires an emergency response, an immediate response, and a targeted response. That is what this bill provides.

We have also heard a great deal about the 2011 Homeland Security Appropriations bill. Indeed, this emergency supplemental is not the regular bill. Nor is it a substitute for the regular bill. In fact, it is just what it says, it is a supplement to ongoing appropriations, a supplement designed to address this critical situation out on the southwest border which our colleagues on the border have testified to very convincingly here this morning.

The 2011 Homeland Security bill is alive and well. It has been assembled on a bipartisan basis after months of hearings and discussions. It has been approved at the subcommittee level, and Members will be seeing that bill very shortly. And believe me, on many of these items in the supplemental, you will be hearing from us again: the BEST teams, the border enforcement security task forces, a proven device; the forward-operating bases; and, of course, the beefing up of the Border Patrol and the cadre of CBP officers. All of these things are ongoing challenges, but they are also immediate challenges.

This is an important supplemental to the regular bill. This was true when we first passed it in early July, and it is still true today. Today we are compensating for the fact that border security was dropped from the supplemental appropriations bill by the Senate. But the Senate, fortunately, in recent days passed the bill before us. We are now passing the bill that they passed so as to expedite the targeting of these funds for this immediate problem in the Southwest. This is a much-needed bill. We have had ample testimony to that effect. I urge my colleagues to support it here this morning.

Mr. THOMPSON of Mississippi. Madam Speaker, today, the House is considering H.R. 6080, legislation to provide \$600 million for increased security activities at our Nation's southwest border. As Chairman of the Committee on Homeland Security, I have visited the U.S.-Mexico border and heard the concerns of local residents firsthand. I understand the imperative for more resources to combat the drug cartels and the threat of potential violence in the region. Therefore, I support the bill before the House today.

H.R. 6080 is an integral part of providing the Department of Homeland Security and its federal partners with additional personnel and equipment necessary to combat violence and better secure America's borders. Specifically, H.R. 6080 provides funding to put more boots on the ground for Customs and Border Protection (CBP), including additional Border Patrol agents and CBP officers who secure the areas at and between our ports of entry. Increased interdictions along the border translate into increased additional referrals for Immigration and Customs Enforcement (ICE). I am pleased that H.R. 6080 also provides funding for additional ICE agents, analysts, and support personnel. These resources will aid ICE in identifying and dismantling cross-border criminal networks.

H.R. 6080 also provides for additional equipment, such as two unmanned aerial vehicles (UAVs) and forward operating bases for

CBP. Communications in remote areas along the border is a persistent problem, and the bill helps address this problem by including funding for enhanced tactical communications in the area.

Providing additional resources is not a panacea for our border security problems, however. In the absence of a comprehensive border security strategy, this kind of supplemental funding will only do so much. Rather than a piecemeal approach, the Department of Homeland Security must develop and implement a border security strategy that contemplates all border security threats facing our Nation and allocates our border security resources accordingly.

Again, Madam Speaker, I support H.R. 6080 and urge my colleagues to do so as well.

Mr. REYES. Madam Speaker, I rise today to urge my colleagues to vote in favor of the revised Emergency Border Security Supplemental Appropriations Act of 2010.

While this legislation represents a scaled-down version of bill that the House has twice passed—once in the overall FY10 Emergency Supplemental Appropriations bill and again in the Emergency Border Security Supplemental bill by voice vote on July 28—the bill still provides some of the resources necessary to address the emergency at our southwest border. Because of House leadership on this issue, our colleagues in the Senate responded with a \$600 million package to secure our nation's borders. Now, we must respond in kind.

The challenges our communities face each and every day along the border are an emergency, and we need to do all we can to ensure the safety and security of our 2,000-mile long border with Mexico.

While the Senate version of the bill provides \$100 million fewer resources for the border and fewer CBP officers for land ports of entry than many of us who represent border districts would have liked, these funds will still address urgent needs on our southwest border.

I ask my colleagues to seriously consider the importance of giving our law enforcement officers who are working along the border the resources they need to enhance our border security. In particular, the 250 additional Customs and Border Patrol Officers are needed because GAO estimates that we need thousands more officers in order to fully staff our ports of entry. The 250 increase is a step in the right direction.

Increasing staffing of our CBP Officers at land ports of entry is critical both to expedite the flow of trade and commerce and more effectively screen out illicit drugs, weapons, human smugglers, and any other potential criminals. It would also give us greater ability to conduct southbound checks so that we can also curb the supply of arms, illegal narcotics and cash going into Mexico and fueling violence there.

Residents in our border states know this is an emergency because they live it each and every day. I urge my colleagues on both sides of the aisle to act today to secure our borders by voting in favor of the Emergency Border Security Supplemental Appropriations Act of 2010.

Mr. HOLT. Madam Speaker, I rise in support of H.R. 6080, which will provide \$600 million to bolster ongoing security efforts and to reduce violence along our nation's southern border.

Like many of my constituents, I am concerned about the influx of illegal immigrants

into America. The level of violence stemming from the drug trade in Mexico, which has spilled over into the Southwest, is unacceptable. The Obama administration has committed more than 17,000 border patrol agents to the southern border, a historic high, yet we must do more.

The bill will provide \$176 million for 1,000 additional Border Patrol agents to be deployed along the southwest border and \$68 million to hire 250 new Customs and Border Protection officers at ports of entry along the border. It also will fund two new unmanned aerial vehicles for Customs and Border Protection to monitor the border.

The bill will provide \$80 million for Immigration and Customs Enforcement to hire more than 250 special agents, investigators, intelligence analysts, and mission support staff to investigate and reduce narcotics smuggling and associated violence.

Additional funding will go to the U.S. Marshals Service, the Bureau of Alcohol, Tobacco and Firearms' Project Gunrunner, the Drug Enforcement Agency, the Federal Bureau of Investigation, and to the Federal government's efforts to incarcerate criminal illegal immigrants and to reduce the backlog in the nation's immigration courts.

Importantly, this bill is fully paid for by increasing fees for visas that permit foreign workers to work in the United States and by reallocating \$100 million of unspent funds at the Department of Homeland Security. These fee increases would apply only to companies with more than 50 employees with a workforce predominantly comprised of visa-holding foreign workers.

The history of America is a history of immigration and of immigrants. From the first settlers in Jamestown and Plymouth to the masses greeted by the Statue of Liberty and Ellis Island fleeing poverty and persecution in the old world, millions have sought a new life in America. Immigrants continue to this day to be a vital part of our social fabric and a key contributor to economic growth. While Congress needs to address immigration reform in a comprehensive manner, our first priority must be securing our borders by providing additional tools and resources to those who patrol the border.

I urge my colleagues to join me in supporting this bill.

Mr. PRICE of North Carolina. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. PRICE) that the House suspend the rules and pass the bill, H.R. 6080.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 1586, EDUCATION JOBS AND MEDICAID ASSISTANCE ACT

Mr. POLIS. Madam Speaker, by direction of the Committee on Rules, I

call up House Resolution 1606 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1606

*Resolved*, That upon adoption of this resolution, it shall be in order to take from the Speaker's table the bill (H.R. 1586) to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment to the House amendment to the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Appropriations, the chair and ranking minority member of the Committee on Ways and Means, and the chair and ranking minority member of the Committee on Energy and Commerce. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.

SEC. 2. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of August 11, 2010.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

Mr. POLIS. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. POLIS. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. I yield myself such time as I may consume.

Madam Speaker, this rule provides for consideration of the Senate amendment to H.R. 1586 and makes in order a motion by the chair of the Appropriations Committee to concur in the Senate amendment. The rule waives all points of order against the motion. The rule provides that the motion shall be debatable for 1 hour, equally divided and controlled by chairs and ranking minority members of the Committee on Appropriations, the Committee on Energy and Commerce, and the Committee on Ways and Means. Finally, the resolution waives a requirement of clause 6(a) of rule XIII, which requires a two-thirds vote to consider a resolution from the Rules Committee on the same day that it is reported. The waiver

applies to any measure reported through the legislative day of Wednesday, August 11, 2010.

Most of my colleagues here today, Madam Speaker, have interrupted their important activities back home in their districts to be here for this unusual, but not unprecedented, August session. As we stand here today, Madam Speaker, debating assistance for States and school districts across the country, I can't think of a better reason for Members to rush back to the Capitol than to invest in our children and in our future.

We are here today to extend a lifeline to teachers in classrooms across the country to ensure that students and our future are not mortgaged by a weak economy that has forced States into drastic cutbacks. Despite the failure of the Senate to move this bill during many months of debate until it finally passed last week, the urgency is real. And the appeal and need is real as well.

This legislation saves or creates 310,000 American jobs, specifically for teachers, police officers, firefighters, and nurses. In Colorado, this bill will save the jobs of 2,600 teachers. Yes, Madam Speaker, absent the passage of this bill, class sizes will be larger for students across the State, and we will be mortgaging our future because of the current recession.

These funds will go immediately to States and prevent layoffs and in some cases rehire teachers that have already been given notice, as summer comes to an end, just in time as students go back to school. Students here in Washington, D.C. will be in school the week after next. Many districts in Colorado start in 2 or 3 weeks as well.

This legislation, Madam Speaker, is completely paid for, primarily by closing tax loopholes that encourage corporations to ship American jobs overseas. Not only is this bill paid for, Madam Speaker, but this bill cuts the deficit by \$1.4 billion.

It never fails to surprise me when some of my colleagues talk about the spending of Congress—this, that, or the other. Well, here today before us, Madam Speaker, is a chance to cut the deficit. What an important and justifiable reason for us to return here to Washington in August: to cut the deficit.

□ 1100

These funds will assist States so they can keep qualified teachers in classrooms, pay firefighters and police officers to keep our neighborhoods safe. We need to do everything in our power to ensure that the American people are protected during this recession and that our children are educated. Widespread layoffs in these public security and education sectors wouldn't only hurt the schools and children but would further depress the economy. These men and women who work in these professions, Madam Speaker, are the backbone of our Nation and our economy.

Now that the measure is before us with bipartisan support from the Senate, I hope all of our colleagues will join me in supporting this legislation and quickly moving to a final vote so that we can expeditiously get the money out to those who need it. I encourage my colleagues to support the rule and the bill.

I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. I want to begin by expressing my appreciation to my very good friend on the Rules Committee for yielding me the customary 30 minutes.

I would like to say, Madam Speaker, that this special emergency session called unexpectedly just after a week of the district work period to pass another \$26.1 billion in spending is, in fact, Washington, D.C. at its absolute worst. Everything that Americans have come to hate about their government, about the way their government works—the waste, the ineptitude, the cynicism, the lack of accountability, the utter disregard for the concerns of taxpayers—is all very vividly on display right here today.

Now, one must ask the question, how is it that we got here? How is it that we got here? Well, under the leadership of Speaker PELOSI, we've made history. For the first time we have failed to budget, we have failed to pass a budget for the first time in the modern era. In the absence of a budget roadmap, the leadership on the other side of the aisle has legislated recklessly and haphazardly, managing to consider a mere one-sixth, one-sixth, of the normal appropriations bills. And I am happy to see the chair of the Appropriations Committee here. They have passed a mere one-sixth of the appropriations bills while irresponsibly approving new emergency spending outside of regular order. Politico, the newspaper that we read every morning around here, described it as follows: They described this as a "fiscal-policy meltdown" and an "unprecedented failure."

Now, how is it possible, Madam Speaker, how is it possible that this Democratic majority could fail so miserably at its constitutional duty? Was it pure ineptitude or was it something more willful than that?

Ineptitude certainly goes a long way toward explaining the failings that have taken place under Speaker PELOSI. Their work has been so shoddy and riddled with oversights, mistakes, and loopholes that countless corrections over the last 3½ years have been necessary. Today's underlying bill doesn't even have a title. Madam Speaker, the bill doesn't even have a title, thanks to their haphazard way of doing business. In its mad rush, the Senate passed the blank act of blank. This bill has no title. They literally neglected to fill in the blanks. God only knows what other mistakes have been made here, Madam Speaker.

But ineptitude alone only goes so far in explaining the Democratic majority's shortcomings. As the Washington Post editorialized last week, "To govern is to choose, and nothing lays bare a government's true priorities like the choices it makes about spending taxpayers' money." Now, Madam Speaker, this gets to the heart of why the annual budget is so critically important. It lays out for the American people what the priorities of the majority of this institution are. Whatever gimmicks they may employ to shield themselves from accountability, the budget lays out in black and white the agenda that the majority has.

It also forces the majority to make choices, tough choices. Faced with a host of needs, a budget forces the majority to choose which are the most important items. And if times are tough, a budget forces the majority to cut wasteful and unnecessary spending. This presents quite a predicament for a majority that loves nothing more than to tax and to spend. Today's emergency bill is just another in a long line of unaccountable spending bills that have supplanted the regular budget and appropriations process simply because this majority, quite obviously, is not up to governing.

Some of the funding contained in this bill is, no doubt, very worthy. Our teachers, nurses, and cops deserve our full support, and I concur with my colleague's remarks on those priorities. Let me say our teachers, nurses, and cops deserve our full support. No one disputes that. These are precisely the kinds of top priorities that should be funded in the regular budget process.

Now, Madam Speaker, teachers, nurses, and cops should not be used as pawns in a cynical political game, held hostage by the Democratic majority's failure to govern responsibly. Contrary to the quote that I read in *Politico* at the end of last week from Speaker PELOSI, Republicans, Democrats, and independents alike all want to see teachers in the classroom, nurses in the emergency room, and cops on the beat, not in the unemployment line, as the Speaker claimed Republicans wanted to see.

So let me repeat. Speaker PELOSI offered this quote: Republicans, Democrats, and independents want to make sure that teachers are in the classroom, that nurses are in the emergency room, and that cops are on the beat. If the Democratic majority, Madam Speaker, had done their job in an appropriate and timely way, our teachers, nurses, and cops would not be on the chopping block. Today's emergency vote is a function of the failures of this Democratic leadership.

But this bill is about more than teachers, nurses, and cops. Some of the spending in this bill is unjustifiable under any procedure. We're told by the Democratic majority that the Federal taxpayers must bail out struggling States. But let's take a look at why States are looking for a bailout in the first place.

One needs look no further than my State of California, the largest State in the union. I'm very sorry to say that it provides the perfect example of the fiscal disasters that are inevitable in the absence of transparency and accountability.

The people of southern California over the past few weeks have become outraged over astronomical salaries for certain officials. The most egregious example has been the city manager of Bell, California. Now, Bell, California, Madam Speaker, is a town of 36,000, just east of downtown Los Angeles. The city manager, Robert Rizzo, was receiving an annual compensation package of \$1.5 million. The city manager of a tiny, frankly, not very wealthy town just east of downtown Los Angeles, Robert Rizzo, was receiving a compensation package of \$1.5 million a year. He resigned in the wake of the scandal within the past week, and now he'll only collect an annual pension of almost \$1 million a year. And it's not just the taxpayers of this tiny town of 36,000, Bell, California, who are on the hook. Because of the way the pension structure was put into place in California, my constituents and the constituents of our other California colleagues will be forced to pay a significant portion of Robert Rizzo's lavish nearly \$1 million pension.

The problems in California go well beyond one wildly overpaid city manager and a broken pension system. The State legislature's failure to enact a budget is costing the State \$1.5 billion in deficit spending with every single month that goes by. They have created a fiscal nightmare, they've taxed the people of California to the brink, and now they have turned to the beleaguered Federal coffers once again.

Thanks to the Democratic majority's policy of never-ending bailouts, there's not a taxpayer in this country who isn't on the hook for astonishingly reckless spending priorities just like these.

We have got to put a stop to these dangerous policies once and for all. We need to put an end to the never-ending cycle of bailouts, emergency spending, deficits, and debt. Instead, we need to return to regular order to pass a budget and fund our top priorities through the regular accountable process while doing everything that we can to ferret out and cut waste, fraud, and abuse.

□ 1110

Finally, Madam Speaker, we need to put an end to the practice of haphazard, unaccountable legislating.

Madam Speaker, arrogance and ineptitude are a lethal combo. We will be paying the consequences for generations to come if we don't change the course right now.

I urge a "no" vote on this rule.

I reserve the balance of my time.

Mr. POLIS. Madam Speaker, most teachers, firefighters, nurses don't earn \$1.4 million a year. I wish they did in our society. I wish we valued the teach-

ing profession. There was a study recently that showed that a good kindergarten teacher is worth \$365,000 a year. Unfortunately, Madam Speaker, I don't think there are any kindergarten teachers in our country that earn it.

I'm grateful that of course, as the gentleman from California pointed out, that this gentleman's abuse of the public trust was exposed and corrected, and the residents of that town will hopefully compensate their new city manager more in line with the standards.

Finally, he talked about Republican, Independents and Democrats doing something and caring about teachers, caring about nurses. I have no doubt that in this Chamber and in our country Americans of all stripes ideologically and all parties care deeply about our nurses and teachers and keeping our streets safe, and Members of both parties here in the House today will have a chance to express that in a very tangible way, by keeping teachers in classrooms, nurses in hospitals, and officers on the beat by voting "yes" on the rule and the motion here today.

With that, Madam Speaker, I would like to yield 4 minutes to the gentleman from Massachusetts, my esteemed colleague on the Rules Committee, Mr. MCGOVERN.

Mr. MCGOVERN. I thank the gentleman for yielding, and I rise in support of the rule and the underlying bill.

Madam Speaker, our communities are struggling. Forty-seven States are facing budget shortfalls, and at least 34 States will cut both jobs and services in this fiscal year unless there's an additional 6-month extension of the FMAP program.

All of us are hearing from our Governors. In June, a bipartisan group of Governors wrote to Congress pleading for an extension of FMAP money because they believe it is the most efficient way to avoid further layoffs and health care cuts that will slow the recovery. At a time when States like Massachusetts are starting to see unemployment rates decrease, now is not the time to pull the rug from under them.

If we were to fail our States and not enact this extension, 2,900 teaching, police, and firefighter jobs in Massachusetts would be at risk. What would that mean for classroom size, cops on the streets, and firefighter response? To put it mildly, it wouldn't be good.

This is exactly the type of Nation-building we should be focusing on here at home, and I wish that my friends on the other side of the aisle and the other Chamber could realize that.

It is important to note that this bill is not only essential; it is paid for. In fact, the nonpartisan Congressional Budget Office finds that this bill will cut the deficit by \$1.4 billion over the next decade. If only the Bush tax cuts for the rich, the Medicare prescription drug benefit, or the wars in Iraq and Afghanistan were paid for we would not be facing the deficit issues we are

today. So we don't need any lectures by Republicans about deficits. They created this mess that we're in, and Democrats once again have the responsibility of cleaning it up. They should be ashamed of what they did to this economy.

Madam Speaker, I would be remiss if I didn't express my deep concern with one of the offsets in this bill. Specifically, I think it is just plain awful that the Senate has sent us a bill that cuts future funding for the SNAP program, formerly known as food stamps.

The American Recovery and Reinvestment Act rightfully included significant funding for SNAP. Economists from the right and the left argue that SNAP is the most effective stimulus available today, and we rightfully included funding for increased SNAP benefits in the Recovery Act; yet, the Senate has included a cut in these SNAP benefits that will result in \$59 less per month for a family of four starting in 2014.

The choice then is to provide critical aid to the States and protect jobs for teachers, firefighters, and police officers today or protect future benefits for those hungry Americans who struggle to put food on their tables. It is not a choice that we should be forced to make.

It frustrates me to no end, and quite frankly, I'm outraged, that this is one of the offsets. I would ask my friends in the Senate: Why do the most vulnerable in our country always have to pay more than their fair share? This practice of robbing Peter to pay Paul must come to an end. Yet here we are.

Madam Speaker, I will support this bill because it will help the people of Massachusetts and the people of this country. This bill will do good things, and it will do them immediately, but I'm casting this vote because we have time to fix the SNAP issue in the future. I continue to believe that we can properly fund the SNAP program, as well as other domestic anti-hunger programs and ensure that no person in America goes hungry. And by not dealing with the issue of hunger more aggressively, we are not saving money, Madam Speaker. We are costing the country much more in terms of everything from increased health care costs to lost productivity. I believe that in the richest, most powerful Nation in the world people shouldn't go hungry. Millions of our fellow citizens sadly don't have enough to eat, and that, quite frankly, is a national disgrace.

Let's approve this bill. Let's help keep teachers in the classrooms, cops on the streets, and more firefighters in our cities and towns, and then when we come back after recess, let's do what's right and restore the SNAP cuts. Let's find another offset that doesn't make a bad situation worse. For America's hungry and food insecure, let's for once make them a priority.

Mr. DREIER. Madam Speaker, I yield myself 15 seconds to say that I appreciate the fact that my friend from Col-

orado pointed out that, contrary to what Speaker PELOSI said when she argued that Republicans would rather see in the unemployment line teachers, nurses, and cops rather than in the classroom, in the emergency room and on the line, on the beat, that, in fact, we do, Republicans and Democrats, alike care.

At this point, I am happy to yield, Madam Speaker, 2 minutes to a very hardworking member of the Financial Services Committee, my friend from Dallas, Mr. HENSARLING.

Mr. HENSARLING. I thank the gentleman for yielding.

Madam Speaker, we are here today because the Speaker of the House has declared us in emergency session. There's a national emergency. Apparently, Congress has not spent enough money, notwithstanding the fact that we passed the \$1.2 trillion stimulus bill, the \$410 billion '09 omnibus bill, the House-passed \$871 billion cap-and-trade bill, the \$2.6 trillion government takeover of health care bill, and the 2010 omnibus bill rang in at \$445 billion. But there's a national emergency. We're not spending enough money. Let's spend \$26.1 billion more.

Madam Speaker, the American people are asking: What part of broke doesn't this Congress understand? We are already looking at our second year of trillion-dollar deficits, the largest debt in the history of our Nation as a percentage of our economy, largest since World War II. What part of broke doesn't Congress understand?

Now, many of us have lost track here, Madam Speaker. I don't know if this is stimulus bill part three or bailout bill part four. There's been so many of them, it's simply hard to keep track of.

What have all the stimulus bills brought us? Well, an additional loss of 3 million jobs, private sector jobs lost, since we passed this stimulus bill. Yet, my friends on the other side of the aisle call it a success. Madam Speaker, let's hope that this stimulus bill is not near as successful as the previous one.

And here we have yet another bailout bill. We've bailed out Chrysler, GM, Fannie, Freddie, the major banks, people who bought too much home and couldn't afford it, and now we're going to bail out the States. So, if California and New York can't live within their means, taxpayers in Kansas, Minnesota and Kentucky have to bail them out.

It's time to reject the rule and reject the bill.

Mr. POLIS. Madam Speaker, I yield 2 minutes to my colleague on the Rules Committee, the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. I thank my colleague for yielding. I rise today in support of the underlying rule and to the bill itself.

Madam Speaker, the vote we will take today is a vote for preserving jobs in America and a vote against sending them overseas. It will be a vote for keeping jobs in our country by saving

the jobs of over 140,000 teachers, 700 them in my home State of Maine.

□ 1120

Allowing for further cuts in teachers' jobs would be devastating, not only to our children but also to our local economies in Maine and across the country. The loss of 700 jobs in my State means 700 fewer paychecks being spent at a local grocery or hardware store on the goods and services that support our local economy.

Local property taxpayers are already carrying too much of the burden, and local school districts have already made too many drastic cuts. Taxpayers need some relief, and schools need a helping hand.

Madam Speaker, this bill is also fully paid for, in part by cracking down on corporations that have been claiming a tax credit for sending good-paying American jobs overseas. Large multinational corporations have been getting away with paying billions less than they owe in taxes. This bill will close the loopholes that have allowed this abuse to go on and allow American jobs to be shipped offshore.

It is outrageous that these companies have been getting a tax credit while companies doing business in America are struggling to hire and retain workers. It is time to put an end to this practice immediately.

I urge my colleagues to support the rule and the underlying bill.

Mr. DREIER. Madam Speaker, I yield myself 15 seconds to simply say that we keep hearing that this is fully paid for. It's paid for, Madam Speaker, by taxing companies that in difficult times are creating jobs and by hitting food stamps and renewable energy. Obviously, that ain't a way to pay for this, and we know that it's not fully paid for.

Madam Speaker, I yield 3 minutes to a tireless member of the House Rules Committee, my friend from Dallas, Mr. SESSIONS.

Mr. SESSIONS. I appreciate the gentleman, Mr. DREIER, for yielding me this time.

Madam Speaker, last night at the Rules Committee, we had a very vigorous and spirited debate. It is continuing, although with less fervency, on the floor today about the insistence of the Democratic Party to blame corporations for the ills, blame George Bush for all the problems, when, in fact, it's been 15 straight months of unemployment, over 9.5 percent that the Democratic Party is personally responsible for.

The substance of this bill is not just about teachers. We already know it's about a lot of other issues. One of them is about the competitiveness of America as we do business overseas.

The U.S. Chamber says about this bill, it "would impose draconian tax increases on American worldwide companies that would hinder job creation, decrease the competitiveness of American businesses, and deter economic growth."



Madam Speaker, the Democratic Party is hung up on this issue, and yet they will blame George Bush for the bad legislation that they passed.

The facts of the case are simple. Americans invest in the stock market, American companies need to seek markets all around the world, and this bill will make it far, far more difficult for American companies to invest in their operations that make money. Making money is what keeps the stock market, 401(k)s, and lots of other retirement plans up to where they are able to receive the funds as a benefit of a worldwide economic opportunity.

Madam Speaker, the Democratic party is once again going to go and harm not just the stock market but employment and our ability to make a comeback.

The National Association of Manufacturers says, "Imposing \$9.6 billion in tax increases on these companies will jeopardize the jobs of American manufacturing employees." It is Americans who work here who produce goods and services that are sold overseas, and what we want to do is to take away the ability that companies have to sell overseas.

That is the legacy of this Democratic Party, higher taxes, more rules and regulations, debt, and record unemployment.

This is not how you give opportunities to people to build jobs. It is job destruction, and that's what the Democratic party is known for. This comes in line with the three largest political items of this Democrat majority that net lose America 10 million American jobs.

Don't blame somebody else, Madam Speaker. Please stand up and admit. You have been in office now, not just Ms. PELOSI, for 4 almost years now, but the President now for a year and a half.

Pin the tail on the donkey.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members will please heed the gavel.

Mr. POLIS. Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. As I listen today, Madam Speaker, I ask the simple question, what about our children?

This legislation, which I fully support, and the rule, will ensure that the millions of children who are returning to school this fall have the same opportunity to learn and to thrive as their peers did before them. It will also keep first responders on duty and fund vital Medicaid services.

Economists have concluded that failure to pass this legislation will put a significant weight on our fragile economy. Nonetheless, my Republican friends continue to paint this legislation as an election season gimmick.

This legislation will save more than 130,000 teacher jobs and reduce the deficit by \$1.4 billion over the next 10 years. That's not a gimmick. Ensuring the education of our children and the safety of our communities is not a gimmick.

The greatest threat to our national and economic security is the failure to properly educate every single one of our children.

Mr. DREIER. Madam Speaker, at this time, I yield 3 minutes to my very good friend, who is the ranking member of the Education and Labor Committee, the gentleman from Lakeville, Minnesota (Mr. KLINE).

Mr. KLINE of Minnesota. I thank the gentleman for yielding, and I rise in opposition to this rule and to the underlying measure.

Madam Speaker, 18 months ago, we gathered in this Chamber to debate economic stimulus. Republicans wanted to help job creators, but the majority said, "No, let's borrow and spend." And borrow and spend they did, to the tune of \$862 billion.

Back then, the Democrats sent nearly \$100 billion to States and districts to prop up school budgets. It would save 300,000 jobs, we were told, and improve public education. It was a one-time investment, we were told. They would not be back for more.

Yet here we stand. They are back for more.

I know my schools, I know there are challenges, and I understand the difficult budget decisions our governors, superintendents, and school boards are being forced to make. And I know a Federal bailout is not the answer.

Spending another \$10 billion we do not have will not improve public education or protect the very best teachers. Earlier this year, Education Secretary Arne Duncan told us, "Today, the status quo clearly isn't good enough." Yet the status quo is exactly what this \$10 billion will perpetuate.

Schools will continue to operate on last-hired, first-fired policies that ignore student achievement when deciding which teachers to keep in the classroom. These dollars are not targeted based on jobs at risk or student needs. This is nothing more than an across-the-board inflation of State spending.

Spending another \$10 billion we do not have will not balance State budgets or bolster our economy. Because of major increases in the number of school personnel in recent years, States are operating education budgets they cannot afford.

At best, inflating State education spending for another year will kick the can down the road, merely postponing the tough decisions and allowing States to overextend themselves for another year.

At worst, another bailout will make States more dependent on the Federal Government and more susceptible to Washington's political whims.

Finally, spending another \$10 billion we do not have is not good for our children and grandchildren. This bill is not "paid for." We are looking at a Washington shell game of tax hikes and deficit spending gamesmanship. It dips into stimulus spending we could not afford 18 months ago to pay for even more stimulus spending we cannot afford today.

I oppose this legislation. I encourage my colleagues to vote against this rule and against the underlying legislation.

I give this whole effort an "F."

Mr. POLIS. Madam Speaker, as has been noted, this legislation will reduce the Federal deficit by over a billion dollars.

With that, I yield 2 minutes to the gentlewoman from Connecticut, a member of the Appropriations Committee, Ms. DELAURO.

Ms. DELAURO. Madam Speaker, let me be clear. I strongly support the \$16 billion of critical funding that this legislation provides for Medicaid assistance and the \$10 billion in education funding for teachers.

I will support it today, as I have several times in the past when this package has come for a vote to the floor of this House.

□ 1130

Yet I rise in support of this bill with a heavy heart, not because of what it provides, but because of what it takes away. I know, as many of my colleagues do, regardless of party, that without these resources many States, including my State of Connecticut, will have to make Draconian cuts to essential services that they cannot afford to make without tearing apart the basic fabric of their communities. That is why this bill is so critical. Nothing could be more important than the education of our children and the access to health care services that families depend on, especially in this tough economy. And, finally, this bill ends tax breaks for exporting American jobs.

However, I cannot in good conscience condone the way we have paid for this package, what we have taken away in the process. At a time when we have seen the demand for food assistance skyrocket from 31 million people receiving food stamps in November 2008 to almost 41 million people now, we have chosen to pilfer \$12 billion from the food stamp program in the name of fiscal responsibility. In this instance, we have chosen to be fiscally responsible on the backs of those needy families who need our help to feed themselves and their children.

When so many families are struggling with unemployment, lower wages, lost benefits or homes, high prices, less income, cutting food assistance is unconscionable. The fact is education, health care, and food, these are things that bind us as a society, play formative roles in determining the course of this country. Yet the bill before us today shamefully pits these priorities against each other.

Mr. DREIER. Madam Speaker, at this time I am happy to yield 2 minutes to a Member who would like to see us go through the regular appropriations process, a member of the Appropriations Committee, my friend from Savannah, Georgia (Mr. KINGSTON).

Mr. KINGSTON. Madam Speaker, who knew? Who knew that the States were running out of money? Who knew



when we were bailing out General Motors, the big banks, Fannie Mae and Freddie Mac? Apparently, the Speaker of the House had no idea there were some problems in the hinterlands. So here we are back in Washington, millions of dollars spent to bring everybody back.

This is governing by reaction, pandering to the political base. Blue State, big-city politics at its worst, taking care of the excesses of governing bodies who are unable or unwilling to make the tough decisions that smaller States, small businesses, and American families have to make every day.

And we hear over and over again this is paid for. I got news for you. If you have a huge debt on your American Express card and you transfer it to your Visa card, you haven't paid for anything. Forty-one cents on the dollar that we spend is borrowed money. The food stamps program, which the Democrats are cutting, the renewable energy program, which the Democrats are cutting, and you could even argue the job-killing tax increase that they are about to pass, that's all on borrowed money. Forty-one cents on the dollar is borrowed in our country today under the Democrat leadership.

Now, we could be up here looking at Medicare and Social Security. The trustees report just came back and said that they are both going broke. And I would think that's what would be worth coming back to Washington for anytime. We should fight to fix Social Security and Medicare. But instead, it's another bailout and another promise of governmental utopia. If we just bail out this one last group, jobs will return, the deficit will be balanced, and there will be peace from sea to shining sea. It's just not going to work.

This is a bailout Congress. It's government by bailout, it's government by borrowed money, and our children's children will be paying for this.

Mr. POLIS. I yield myself 30 seconds.

Madam Speaker, when we are talking about cops and firefighters and teachers we have and we need, and we value cops and firefighters and teachers in the reddest of red States and the bluest of blue States across this great country, that's why, Madam Speaker, 16 Republican Governors have written to us, encouraging us to pass the money for Medicaid assistance here today, including, I might add, the Governor of the State of Georgia, as well as the Governor of the State of Alabama, calling on us to act because all of us know that we are in this together as a country. Regardless of where we live, we all need these basic services.

Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Listening to the concerns of parents, the hopes of students, and the needs of our local Texas school leaders, today we are responding with essential Federal aid to education, fully paid for by closing international corporate tax loopholes that should

never have been there in the first place.

Because we believe in local control of education, we require that the State of Texas specifically forward the new Federal aid to our local school districts, not divert it or spend it on something else. The Texas Association of School Boards, Texas teachers, principals, and school administrators support this legislative approach. Now, those who have never wanted Texas or any other place in this country to receive a dime of additional Federal aid to education, they complain because we are holding Texas Governor Rick Perry accountable for proper use of these taxpayer dollars. There is absolutely no constitutional limitation on doing right by our Texas schoolchildren. Instead of concocting phony legalistic arguments, Governor Perry and his cohorts here in Congress ought to be joining us in supporting quality public education.

You can be sure that Texas is singled out by this legislation. It was singled out by a Governor who grabbed \$3.2 billion of Federal aid to education to bail out a mismanaged State government. That's the only bailout that occurred. It occurred last year in the State of Texas. We didn't send that Federal aid for education to Texas to plug a mismanaged State budget. We sent it to help our schoolchildren.

And so today, in order to avoid history repeating itself, we demand accountability, we demand support for quality public education and local control of education and not more mismanagement and interference from the State of Texas.

Mr. DREIER. Madam Speaker, I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Madam Speaker, the students now are at the beach and at the swimming holes, and they're not thinking about their education. But we are. And we're seeing good things. I was at the Everett School District, where they're getting 90 percent graduation rates because they're doing some good things. But we're going to have almost 3,000 teachers laid off if we don't pass this bill, in the State of Washington. That is just flat wrong.

Now, what is the debate here? The debate is that one side of the aisle believes it is more important to preserve billions of dollars of tax loopholes so that corporations can hide their money in the Bahamas and other places. They think those billions of dollars for those corporate loopholes is simply more important than almost 3,000 teachers in classrooms in the State of Washington. We disagree. The kids aren't thinking about it, but we are.

And let's be clear what the decision is today. One side of the aisle's going to be giving billions of dollars for cor-

porate loopholes, and one side of the aisle's going to be taking care of kids. They don't want to give a dime to kids, but billions for corporate loopholes. Pass this bill.

Mr. DREIER. Madam Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Madam Speaker, I yield 1 minute to my colleague, the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. Madam Speaker, as somebody who spent 14 years in local government before coming here to the United States Congress, I know how essential it is that our State and local governments get some relief. The cumulative deficit they are going to experience over the next 2 years is \$350 billion, which will have a profoundly contractionary effect on our economy.

This bill, which is fully paid for and actually reduces the deficit by \$1.4 billion over the next 10 years, is essential to making sure State and local workers stay serving the public they serve. And I think that the time has come to provide that assistance, and I look forward to supporting H.R. 1586 as a proud former local government official.

Mr. DREIER. Madam Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Madam Speaker, I yield myself 1 minute.

Madam Speaker, I am particularly pleased that this legislation does not include \$800 million in cuts to critical education reform programs, including Race to the Top, which has encouraged education reform initiatives and accountability across our country; including the Charter School Innovation Fund, which provides start-up money for new and innovative charter schools to help meet the educational needs of our most at-risk youth; and the Teacher Incentive Fund, finding new and better ways to compensate teachers for their hard work.

□ 1140

This bill before us today, Madam Speaker, recognizes that we need both funding and reform, investment and accountability. One without the other will not close the achievement gap. Together, Madam Speaker, teachers in the classroom and the education reform initiatives that President Obama is pursuing in a bipartisan way promise to help end the vicious cycle of poverty and ignorance in this country and replace it with the virtuous cycle of opportunity and hope.

With that, Madam Speaker, I would like to yield 1 minute to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Madam Speaker, I thank the gentleman for the time.

It is amazing that we are even spending one second debating this bill. The American people all across this country, from the width and breadth of it, are hurting. And the number one reason they are hurting is because of a

lack of jobs. And here we have a bill that means 319,000 jobs for the American people.

We ought not waste one additional minute debating this bill, but to go ahead and to pass this bill. 319,000 jobs. And jobs in the critical areas of teachers, of firefighters, of police officers, the very jobs that are at the core of educating our young people.

Without this bill passing, 161,000 teachers will no longer exist. Without this bill passing, 90,000-some first responders will no longer exist.

Pass this bill, for the sake of the American people.

Mr. DREIER. I reserve the balance of my time.

Mr. POLIS. Madam Speaker, it is my honor to yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. I know that as my colleagues listen to the debate on the floor of the House, they don't have the full picture of Members returning from work recess, where we have been meeting with constituents, to come here today to take this important step. We are the People's House, and it certainly gives us no trouble to fly in to be able to make this important decision.

But this is out of the ordinary. And it is out of the ordinary because you are looking at people who really care about what is happening, the strangulation of our States and the losses and the pink slips that teachers are getting so that our children cannot learn and be part of the competitive edge in the world. I know it factually, having more than seven school districts in my community.

Today we are doing something that Chairman OBEY deserves credit for, for his vision and his tenacity, someone who knows what it is to be without. Today we are talking about helping people. And I am sorry that the other body took so long, and I am sorry they took it out of EITC, and I am sorry they did not handle this in the right way, but we have a crisis going on.

So these thousands of dollars that will help per teacher to save these teachers and firefighters and police officers, so that maybe the three little girls that were killed by a drunk driver in my district would not have faced such, with more law enforcement to tell people you can't drive while you are drunk.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE of Texas. So I rise today to support this and ask anybody with good judgment, why would you vote against it? As I said, I don't like the pay-fors, but it is paid for. We will fix that.

But let me tell you what is happening in Texas. Texas is taking money

out of the mouths of children and putting it somewhere else. So I am supporting it because we have language that says to the Governor of the State of Texas, don't fool with money for children and education. And we have 40 school districts saying we support the legislative language that members of the Texas legislation have proposed.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Mr. POLIS. I yield the gentlewoman 15 additional seconds.

Ms. JACKSON LEE of Texas. That would guarantee these emergency Federal education funds are actually spent on education in Texas. As drafted, this Texas fix has no impact on anything else. I am standing here because it is about education and public safety. I believe we are doing the right thing, and I ask my colleagues to vote on the underlying bill and the rule.

I rise in strong support of the rule for H.R. 1586, the Education Jobs and Medicaid Assistance Act. I support this legislation because it will save and create 319,000 American jobs—many of them in the education and health sectors.

In less than a month, millions of American students will return to school eager to begin a new year of academic and personal growth. However, the quality of the schools they return to is a matter to be determined. Throughout the country, thousands of teachers have lost, or risk losing, their jobs. This is something our children and our educators can ill afford. As we work to regain economic ground, this legislation provides a total of \$10 billion in funding for education jobs to sustain thousands of schools educating millions of children. Moreover, this includes \$830.2 billion dollars for primary and secondary schools in the state of Texas.

I am pleased that this legislation includes a provision that requires Governor Perry to certify that these emergency appropriations for public education will be used solely to add new funds for public education and not misused for other purposes. We all recall what happened last year when Governor Perry misused the Economic Recovery Act State Stabilization funds. In that instance, Governor Perry used \$3.2 billion in similar aid last year as a substitute for, not an addition to, state aid to school districts. That was outrageous.

It ignored the intent of our legislation, and it denied our children the education that they deserved.

I want to stress that the provision will not create a compliance burden on the state of Texas. Rather, it says only that the state cannot take the federal aid and then use it as an excuse to make disproportionate cuts in state education aid to school districts, relative to other parts of the state budget that might also have to take a hit in the next budget cycle. This required assurance is no more onerous than assurances Governor Perry has given previously to receive billions of dollars in other federal funds. Texas cannot afford to be left out again, and I join the Texas Democratic Delegation and groups of teachers, principals and administrators from across the state of Texas who strongly support this provision.

Madam Speaker, I applaud you for reconvening this week to pass this crucial legisla-

tion. We have a bold vision for creating and sustaining an education system that prepares our children to excel. As President Obama said yesterday in Texas, "education is the economic issue of our time." I could not agree more. Today we have the opportunity to pass legislation that will impact education jobs today and our children's job prospects tomorrow. With schools forced to make difficult personnel decisions before the start of the school year, this legislation is the necessary action at the necessary time. According to updated estimates from the Department of Education, the \$10 billion education funding will save 161,000 teacher jobs.

In addition to education jobs funding, this legislation will also save and create jobs in the health sector. According to an analysis by the Economic Policy Institute, a non-partisan think tank, the Medicaid funds will save and create 158,000 jobs, including preventing the layoff of police officers and firefighters. More than half these jobs will be in the private sector, including workers who contract for or supply services to state and local governments.

Under the Recovery Act, enacted in February 2009, the federal Medicaid matching rate was increased by 6.2 percentage points for all states and by additional percentage points for states with high unemployment. These temporary provisions were enacted in response to the state fiscal crisis—with the increased Medicaid caseloads and decreasing state revenues resulting from the deep recession. However, these provisions are scheduled to expire on December 31, 2010, with dire consequences for our economy.

As the Center on Budget and Policy Priorities found: "If Congress does not extend the enhanced Medicaid matching funds in last year's Recovery Act, most states will cut public services or raise taxes . . . without more federal aid, state budget-closing actions could cost the national economy 900,000 public- and private-sector jobs."

Due to the deep and enduring recession, states have lost tax revenue for the last two years and revenues are projected to remain at severely-reduced levels throughout fiscal year 2011. As a result, states have been forced to scale back spending and implement large service cuts to balance their budgets. While fiscal austerity is important, budget cuts impact more than a bottom line—the local health and emergency personnel need their jobs to make ends meet for themselves and their families. By extending the Medicare matching funds, we will help state and local governments save money and allow them to stay afloat while the economy improves. At least 34 states will cut jobs and services if this assistance is not enacted. This legislation will have a direct impact on Texas by providing an estimated \$858,000,000 for Medicaid fiscal relief which will, in turn, save and create thousands of jobs.

Madam Speaker, I thank you again for calling us back to session to save America's jobs.

Mr. DREIER. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, a week ago last Friday when we adjourned for the August district work period, I thought to myself, well, we are going to get a six-week reprieve from this pattern of constant increases in spending and more bailouts. And yet here we are one week into this August district work period,

and we are back here with a \$26.1 billion spending measure.

Now, Madam Speaker, I was horrified when I read at the end of last week a quote that was put out of Speaker PELOSI's office. She said that Republican Members would rather see teachers, nurses, and cops on the unemployment line rather than having teachers in the classrooms, nurses in the emergency rooms, and cops on the beat.

And as I said in the opening, I am grateful that my friend from Colorado recognizes that Democrats, Republicans, Independents alike all want to make sure that teachers are in the classroom, all want to make sure that nurses are in the emergency room, and all want to make sure that cops are on the beat. So let's disabuse ourselves of this notion that somehow if you are not supportive of this \$26.1 billion measure, that you somehow are opposed to teachers, nurses, and cops.

Why is it that we are here just one week into this break? We are here because of abject failure.

Madam Speaker, for the first time since the 1974 Budget and Impoundment Act was put into place, we have not had the House of Representatives pass a budget. Never before has it been done like this. Never before.

We have the chairman of the Appropriations Committee here. We are only one-sixth of our way through the appropriations process, and we have done it limiting the opportunity for Democrats and Republicans to represent their constituents with amendments here on the House floor.

So, what is it that has happened? No budget. Well, why is it so important to have a budget? The reason to have a budget is so that we can ensure that teachers are in the classrooms, that nurses are in the emergency rooms, and that cops are on the beat.

We have to establish priorities, and under Speaker PELOSI's leadership, that has not happened. So we have rushed back here to Washington for one day to debate and pass, I presume they are going to have the votes to pass it, a \$26.1 billion measure.

They continue to say that this is paid for. It is paid for. My friend from Houston said just a few moments ago she didn't like the way it was paid for, and we will fix it later.

Well, how is it they pay for this? They pay for it on the backs of those businesses that are out there today working very hard in difficult economic times to create jobs. They pay for it on the backs of the poor, with the food stamp program. And while we are all focused on improving our environment, they pay for it on the backs of those of us who want to continue to focus on improving our environment. Meaning that it is nothing more than smoke and mirrors to claim that this is somehow paid for.

The American people are hurting. My friend from Atlanta just pointed out that fact, and he is absolutely right.

Madam Speaker, it is critical that we focus on job creation and economic

growth. And we know how that can be done. Over the last 18 months, we have seen an 84 percent increase in non-defense discretionary spending—an 84 percent increase in the last 18 months.

□ 1150

We have an unemployment rate that is 9.5 percent, fully 1.5 percentage points beyond what President Obama promised it would be if we passed his \$800 billion stimulus bill. So I think that across the board we can recognize that the economic policies of tax and spend have not worked in turning the economy around since we still have a 9.5 percent unemployment rate.

My State of California has a 12.3 percent unemployment rate. And what is it we're doing? We're continuing down with this program of massive, massive multibillion-dollar spending.

So what is it we should be doing? I believe we should be taking, yes, a bipartisan approach.

I like to regularly hold up the John F. Kennedy model for job creation and economic growth. We all know that in the early 1960s John F. Kennedy stepped up to the plate and put into place marginal, across-the-board rate reduction. And what did that bring, Madam Speaker? It brought, during the decade of the 1960s, a 60 percent increase in the flow of revenues to the Federal Treasury, meaning that priorities could be established and that there was actually enhanced economic growth generating more revenues to the Federal Treasury.

Similarly, during the 1980s, Ronald Reagan inherited a slow-moving economy. And what did he do? President Reagan put into place a marginal across-the-board rate reduction, and it brought a 90 percent increase, nearly doubling the flow of revenues to the Federal Treasury.

So that is why this notion of dramatically increasing spending and at the same time increasing the tax burden on job creators is a prescription for failure. And that is exactly what we have found so far.

We want to put into place positive, pro-growth economic policies. And we believe that while we are in the midst of this August district work period we should now, because the American people want us very much to get the economy moving, we should be working here in the House passing those.

And so, Madam Speaker, I am going to urge my colleagues to vote "no" on the previous question. In voting "no" on the previous question, if we are successful at defeating it, I will offer an amendment that will prevent the House from leaving immediately, and I know everybody wants to do that, but if we can put into place pro-growth policies, I think it would certainly be well worth our staying.

If we defeat the previous question, my amendment will allow for the consideration of five measures:

First, H.R. 4746, to prevent pending tax increases; second, H.R. 3765, the

Regulations from the Executive in Need of Scrutiny Act; H.R. 5141, the Small Business Paperwork Mandate Elimination Act; H.R. 4110, the TARP Sunset Act of 2009; and H.R. 2842, rescinding all stimulus funds that remain unobligated.

I ask unanimous consent that the text of the amendment appear in the RECORD immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DREIER. Madam Speaker, if we defeat the previous question and allow those five measures to be debated here on the House floor, I believe that that goal would go a long way towards getting our economy back on track; and, yes, that kind of economic growth would ensure that we would have the resources to make sure that teachers remain in the classrooms and that nurses remain in the emergency rooms and that cops remain on the beat.

So Madam Speaker, I urge a "no" vote on the previous question. And if by chance we are not successful, I urge a "no" vote on the rule. Because I believe that we can do better.

With that, Madam Speaker, I yield back the balance of my time.

Mr. POLIS. Madam Speaker, I yield myself the balance of the time.

Madam Speaker, I rise today in strong support of the rule and the Senate amendment to H.R. 1586.

The new school year is just around the corner. Families across our Nation are preparing to send their kids back to school; and the experience that their children have this school year directly depends, Madam Speaker, on our actions here today in this Chamber.

The package before us today recognizes that we can't afford to stand idle while our schools are being hammered by budget crises across the country. In Colorado, districts are facing the deepest budget cuts in memory. Colorado school districts have cut more than \$288 million out of their budgets for next school year, so the \$160 million that Colorado will receive under this program provides much-needed funds.

Now I want to describe that that is typical of the experience of many States. In no way, shape, or form are we avoiding making the tough decisions or tough cuts during this recession. The States have made those. Districts have made those. We have the opportunity today to make sure that those cuts don't affect the kids going back to school.

What have districts done to balance their budget? They have reduced their staff size and salaries, they have increased furlough days, they have created larger class sizes, they have reduced instructional hours, cut after-school programs, established 4-day school weeks. We are undercutting the future of American competitiveness by getting in the way of the ability to educate kids today because we happen

to be in a severe budget crisis. We each here today in this Chamber, Madam Speaker, have the opportunity to get these much-needed funds to States and school districts across the country.

In addition, the budget of Colorado and more than half the States in the country assume that the FMAP increases will occur. If they don't, if this Chamber doesn't act here today, Colorado would have to come up with \$245 million more in cuts; and, in most States, including my home State, those cuts would generally hit education, law enforcement, and higher education. So the extension is critically important not only for the low-income families that rely on Medicaid for health services but also for all public services that are so essential for our communities.

Undermining public education during a recession is no way to build a world-class educational system, no way to create the economic engine of growth for our Nation for the next century when more than ever jobs will depend on what people know and their ability to think rather than what they can do with their hands.

By passing this here today, Madam Speaker, we can help ensure America's competitiveness in a global, knowledge-based economy. Inaction today in the face of today's crisis would simply mean further erosion of our Nation's human capital, our greatest asset.

Madam Speaker, this is not spending we are considering today. This is an investment. It's an investment in our most valuable asset, our children and our future.

I urge a "yes" vote on the previous question and the rule.

Ms. SLAUGHTER. Madam Speaker, many of my colleagues here today interrupted important activities back in their home districts in order to be here today for this unusual August session.

Some canceled important community events, put off important meetings with constituents or postponed time with their children to be here.

For me, today was the day that I was scheduled to present 11 military medals to Thomas Hetherington, a wonderful Niagara Falls man and decorated Naval officer.

Hetherington fought in both the Korean and Vietnam wars but struggled for years to convince the Pentagon to give him replacement medals; his originals were buried some years ago in the casket of his brother, who himself was a decorated Marine and Vietnam veteran.

This year, my staff was able to assist Mr. Hetherington with getting replacement medals to compensate for the ones he bequeathed to his brother. It was very important to his family and I was glad I could play some small role in navigating the bureaucracy for this constituent.

But last week we called Mr. Hetherington and said we had to postpone the service. Why? Because like my colleagues, I was summoned to Washington to vote on an absolutely critical package of legislation that the Senate approved late last week.

We're here today debating emergency assistance for states and school districts across the country, I can't think of a better reason for members to rush back to the Capitol.

We're here today to extend a lifeline to teachers and classrooms to ensure that students across this country are not hurt by a weak economy that has forced some states into drastic cutbacks.

Despite the failure of the Senate to move this bill during many months of debate until it finally passed this week, the urgency is real. And the appeal is broad.

This legislation saves or creates 310,000 American jobs, specifically for teachers, police officers, firefighters and nurses.

The funds will go immediately to states to prevent layoffs and in some cases to rehire teachers as summer comes to an end and students to go back to school.

Students here in Washington DC will be at school the week after next.

In my home state of New York, this package is worth roughly \$2 billion in Medicaid savings.

Since New York faced a budget shortfall, this bill directs more than \$600 million to the state to retain and create teacher jobs over the coming school year. The U.S. Department of Education says the bill will fund 8,200 positions.

This legislation is completely paid for, primarily by closing tax loopholes that encourage corporations to ship American jobs overseas. In fact, this bill will help us cut the deficit by \$1.4 billion over the next 10 years.

Amazingly, some on the other side have argued that this legislation is nothing more than a deal for "special interests," as they say.

These funds will assist states so that they can keep qualified teachers in classrooms and pay firefighters and police officers to keep our neighborhoods safe. Shouldn't we do everything in our power to protect those jobs?

Widespread layoffs in those sectors would hurt not only schools and children but would further depress the economy. Knocking Americans into the unemployment line does nothing for families—they deserve better. These people form the backbone of our economy.

Sadly, one of the reasons it took until the early part of August to pass this legislation is that Senate Republicans filibustered efforts to bring it forward for a vote.

Now that this measure is before us, I hope all of my colleagues will join me in supporting this legislation and quickly moving to a final vote this afternoon.

If protecting public safety and education means that I am helping "special interests," then count me in.

The material previously referred to by Mr. DREIER is as follows:

AMENDMENT TO H. RES. 1606 OFFERED BY MR. DREIER OF CALIFORNIA

At the end of the resolution, add the following:

SEC. 3. It shall not be in order for the Speaker to entertain a motion to adjourn pursuant to H. Con. Res. 308 until the House has considered the measures specified in section 4.

SEC. 4. The measures referred to in section 3 are as follows:

(1) H.R. 4746, a bill to amend the Internal Revenue Code of 1986 to prevent pending tax increases, and for other purposes;

(2) H.R. 3765, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law;

(3) H.R. 5141, a bill to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations, and for other purposes;

(4) H.R. 4110, a bill to repeal the authority of the Secretary of the Treasury to extend the Troubled Asset Relief Program; and,

(5) H.R. 2842, a bill to rescind all stimulus funds that remain unobligated.

Mr. POLIS. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. PRICE of Georgia. Madam Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Whereas the 111th Congress has failed in its promise to be the most open Congress in history, but has instead lost the public's trust by engaging in unprecedented political procedures to advance a partisan agenda;

Whereas on January 18, 2006, House Minority Leader Nancy Pelosi stated in prepared remarks, "Democrats are leading the effort to turn the most closed, corrupt Congress in history into the most open and honest Congress in history";

Whereas on November 7, 2006, House Minority Leader Nancy Pelosi stated, "The American people voted to restore integrity and honesty in Washington, D.C., and the Democrats intend to lead the most honest, most open, and most ethical Congress in history";

Whereas on November 16, 2006, incoming House Speaker Nancy Pelosi stated, "This leadership team will create the most honest, most open, and most ethical Congress in history";

Whereas on December 6, 2006, incoming House Speaker Nancy Pelosi stated, "We promised the American people that we would have the most honest and open Government and we will";

Whereas incoming Majority Whip Clyburn stated on December 8, 2006 that, "Democrats will exercise better leadership in the new Congress and work to raise the standard of ethics in this body";

Whereas Speaker Pelosi spoke of individual Member's ethics on January 31, 2007 when she stated, "These strong [ethics] rules are significant steps toward honest leadership; enforcing these rules is critical to ensuring every Member of Congress lives up to the highest ethical standard";

Whereas on January 5, 2010, while at a press conference during the health care debate, Speaker Pelosi stated, "There has never been a more open process for any legislation";

Whereas this statement was reiterated by the Speaker while at a press conference on February 26, 2010, when a reporter prefaced a question about Rangel by noting that Speaker Pelosi had promised to run the "most ethical and honest Congress in history" she interrupted him to say: "And we are.";

Whereas more bills were considered under closed rules, 64 total, in the 110th Congress under Democrat control, than in the previous Congress, 49, under Republican control;

Whereas fewer bills were considered under open rules, 10 total, in the 110th Congress under Democrat control, than in the previous Congress, 22, under Republican control;

Whereas zero bills have been considered so far in the 111th Congress under an open rule;

Whereas 26 bills have been considered so far in the 111th Congress under a closed rule, under Democrat control;

Whereas this Congress is the highest spending Congress in United States history;

Whereas this Congress has presided over the two highest budget deficits in United States history at a time when the public debt is higher than at any other time in history;

Whereas this Congress began its mortgage of the Nation's future with a "stimulus" package costing \$1.1 trillion that failed to lower unemployment, spur economic growth, or actually address the needs of struggling American business and families;

Whereas this Congress continued its free-flowing spending with an increase of \$72.4 billion in nonemergency discretionary spending in fiscal year 2009 to reach a total spending level of \$1.01 trillion for the first time in United States history;

Whereas this Congress approved a budget resolution in 2009 that proposed the six largest nominal deficits in American history and included tax increases of \$423 billion during a period of sustained high unemployment;

Whereas this Congress disregarded the needs and opinions of everyday Americans by passing a national energy tax bill that would increase costs on nearly every aspect of American lives by up to \$3,000 per year, eliminate millions of jobs, reduce workers' income, and devastate economic growth;

Whereas this Congress disregarded the needs and opinions of everyday Americans by passing a massive Government takeover of health care that will force millions of Americans from their health insurance plans, increase premiums and costs for individuals and employers, raise taxes by \$569.2 billion, and fund abortions—at a cost of \$2.64 trillion over the first ten years of full implementation;

Whereas this Congress nationalized the student loan industry with a potential cost of 30,000 private sector jobs and \$50.1 billion over ten years;

Whereas this Congress passed the DISCLOSE Act in violation of the first amendment, hindering citizens associations' and corporations' free speech while leaving all unions exempt from many of the new requirements, in order to try and influence the outcome of 2010 elections;

Whereas in spite of House Budget Committee Chairman's 2006 statement that "if you can't budget, you can't govern", the Democrat leadership has failed to introduce a budget resolution in 2010 as mandated by law, but instead self-executed a "deeming resolution" that increases nonemergency discretionary spending in fiscal year 2011 by \$30 billion to \$1.121 trillion, setting another new record for the highest level in United States history;

Whereas this Congress has failed Main Street through passage of a financial system takeover that fails to end the moral hazard of too-big-to-fail, does not address the Fannie Mae and Freddie Mac behemoths, and creates numerous new boards, councils, and positions with unconstitutionally broad authorities that will interfere with the creation of wealth and jobs;

Whereas this Congress has wasted taxpayer funds on an unnecessary and unconstitutional auto industry bailout, a "cash for

clunkers" program, a home remedification program ("cash for caulkers"), and countless other pork barrel projects while allowing the public debt to reach its highest level in United States history;

Whereas Democrats have recently insinuated that significant legislative matters would deliberately not be addressed during the 111th Congress until after the midterm elections in November 2010;

Whereas the New York Times reported on June 19, 2010 that, "For all the focus on the historic federal rescue of the banking industry, it is the government's decision to seize Fannie Mae and Freddie Mac in September 2008 that is likely to cost taxpayers the most money. . . . Republicans want to sever ties with Fannie and Freddie once the crisis abates. The Obama administration and Congressional Democrats have insisted on postponing the argument until after the midterm elections.";

Whereas the Washington Times reported on June 22, 2010 that House Majority Leader Steny Hoyer stated, "a budget, which sets out binding one-year targets and a multiyear plan, is useless this year because Congress has shunted key questions about deficits to the independent debt commission created by President Obama, which is due to report back at the end of this year.";

Whereas the Hill reported on June 24, 2010 that Senator Tom Harkin, a Democrat from Iowa, suggested that Democrats "might attempt to move 'card-check' legislation this year, perhaps during a lame-duck session. . . . 'A lot of things can happen in a lame-duck session, too,' he said in reference to EFCA.";

Whereas the New York Times published an article on June 28, 2010 titled "Lame-Duck Session Emerges as Possibility for Climate Bill Conference" that declares "many expect the final energy or climate bill to be worked out during the lame-duck session between the November election and the start of the new Congress in January.";

Whereas the Hill reported on July 1, 2010 that "Democratic leaders are likely to punt the task of renewing Bush-era tax cuts until after the election. Voters in November's midterms will thus be left without a clear idea of their future tax rates when they go to the polls.";

Whereas the Wall Street Journal reported on July 13, 2010 that, "there have been signs in recent weeks that party leaders are planning an ambitious, lame-duck session to muscle through bills in December they don't want to defend before November. Retiring or defeated members of Congress would then be able to vote for sweeping legislation without any fear of voter retaliation.";

Whereas the Hill reported on July 27, 2010 that Senate Majority Leader Harry Reid said, at the recent Netroots Nation conference of liberal bloggers, in reference to Democrats' unfinished priorities, "We're going to have to have a lame duck session, so we're not giving up.";

Whereas the Hill reported in the same piece on July 27, 2010 that the lame duck session will include priorities such as "comprehensive immigration reform, climate change legislation and a whole host of other issues";

Whereas the Declaration of Independence notes that governments "[derive] their just powers from the consent of the governed";

Whereas the American people have expressed their loss of confidence through self-organized and self-funded taxpayer marches on Washington, at countless "tea party" events, at town halls and speeches, and with numerous letters, emails, and phone calls to their elected representatives;

Whereas a reconvening of Congress between the regularly scheduled Federal elec-

tion in November and the start of the next session of Congress is known as a "lame-duck session of Congress";

Whereas the Democrat majority has all-but-announced plans to use any "lame-duck Congress" to advance currently unattainable, partisan policies that are widely unpopular with the American people or that further increase the national debt against the will of most Americans;

Whereas any such action would be a repudiation of the American people's expressed will and would not comport with the Democrats' public statements promising transparency and accountability; and

Whereas under the leadership of Speaker Pelosi and the Democrat majority, and largely due to the current trends of Government expansion and freedom retrenchment, the American people have lost confidence with their elected officials, and that faith must be restored: Now, therefore be it

*Resolved*, That the House of Representatives—

(1) reaffirms the principle expressed in the Declaration of Independence that governments "[derive] their just powers from the consent of the governed";

(2) recognizes the fundamental importance of trust existing between the American people and their elected officials;

(3) confirms that adhering to the will of the people is imperative to upholding public trust;

(4) states that the American people deserve to know where their current elected officials stand on key legislative issues before Election Day;

(5) states that delaying controversial, unpopular votes until after the election gives false impressions to voters and deliberately hides the true intentions of the majority, while denying voters the ability to make fully informed choices on Election Day; and

(6) pledges not to assemble on or between the dates of November 2, 2010 and January 3, 2011, except in the case of an unforeseen, sudden emergency requiring immediate action from Congress.

□ 1210

The SPEAKER pro tempore. Does the gentleman from Georgia wish to present argument on why the resolution is privileged under rule IX to take precedence over other questions?

Mr. PRICE of Georgia. I do, Madam Speaker.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. PRICE of Georgia. Madam Speaker, I hold in my hands here the House Rules and Manual, which includes the rules of the House of Representatives. And under rule IX it states, in part, that questions of privilege shall be those affecting the rights, reputation, and conduct of Members.

Clearly, Madam Speaker, the reputation and conduct of Members is in question and highlighted in this resolution. What could be more questionable regarding conduct of Members than acting in a disingenuous manner by saying that a lame-duck session will not include controversial items and then planning to do just that?

Madam Speaker, the intent of the majority is clear. They wish to spend more, they wish to tax more, they wish to borrow more, and they wish to harm job creation in a lame-duck session. And the American people don't want this.



To positively and responsibly represent our constituents, Madam Speaker, I respectfully request that the resolution be considered.

The SPEAKER pro tempore. The Chair is prepared to rule.

The resolution offered by the gentleman from Georgia declares a variety of facts and circumstances, expresses certain opinions, prescribes principles by which to schedule or conduct the constitutional session of the House, and proposes a special order of business with respect thereto.

In evaluating the resolution under the standards of rule IX, the Chair must be mindful of a fundamental principle illuminated by annotations of precedent in section 706 of the House Rules and Manual, to wit: that a question of the privileges of the House may not be invoked to effect a change in the rules or standing orders of the House or their interpretation, nor to prescribe a special order of business for the House.

The averment that this resolution presents a question of the privileges of the House under rule IX embodies precisely the contrary principle, under which each individual Member of the House would constitute a virtual Rules Committee, able to place before the House at any time whatever proposed order of business he or she might deem advisable simply by alleging an insult to dignity or integrity secondary to some action or inaction. In such an environment, anything could be privileged; so nothing would enjoy true privilege. With every question having precedence over every other question, the legislative attention of the House would be managed ad hoc by the presiding officer's discretionary power of recognition.

Accordingly, under the long and well-settled line of precedent presently culminating in several rulings during the first session of this 111th Congress, the Chair finds that such a resolution does not affect "the rights of the House collectively, its safety, dignity, or the integrity of its proceedings" within the meaning of clause 1 of rule IX and, therefore, does not qualify as a question of the privileges of the House.

The Chair therefore holds that the resolution is not privileged for consideration ahead of other business. Instead, the resolution may be submitted through the hopper for possible consideration in the regular course.

Mr. PRICE of Georgia. Madam Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

#### MOTION TO TABLE

Mr. POLIS. Madam Speaker, I move that the appeal be laid on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PRICE of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on ordering the previous question on House Resolution 1606; and adoption of House Resolution 1606, if ordered.

The vote was taken by electronic device, and there were—yeas 236, nays 163, not voting 33, as follows:

[Roll No. 515]

#### YEAS—236

Ackerman	Gonzalez	Murphy (NY)
Adler (NJ)	Gordon (TN)	Murphy, Patrick
Altmire	Grayson	Nadler (NY)
Andrews	Green, Al	Napolitano
Arcuri	Green, Gene	Neal (MA)
Baca	Grijalva	Oberstar
Baird	Hall (NY)	Obey
Baldwin	Halvorson	Olver
Barrow	Hare	Ortiz
Bean	Harman	Owens
Becerra	Hastings (FL)	Pallone
Berkley	Heinrich	Pascarell
Berman	Herseth Sandlin	Pastor (AZ)
Bishop (GA)	Higgins	Payne
Bishop (NY)	Hill	Perlmutter
Blumenauer	Himes	Petriello
Boccieri	Hinchee	Peters
Boren	Hinojosa	Peterson
Boswell	Hirono	Pingree (ME)
Boucher	Hodes	Polis (CO)
Boyd	Holden	Pomeroy
Brady (PA)	Holt	Price (NC)
Braley (IA)	Honda	Quigley
Brown, Corrine	Hoyer	Rahall
Butterfield	Inslee	Rangel
Capps	Israel	Reyes
Capuano	Jackson (IL)	Richardson
Cardoza	Jackson Lee	Rodriguez
Carnahan	(TX)	Ross
Carney	Johnson (GA)	Rothman (NJ)
Carson (IN)	Johnson, E. B.	Roybal-Allard
Castor (FL)	Kagen	Ruppersberger
Chandler	Kanjorski	Rush
Childers	Kaptur	Ryan (OH)
Chu	Kennedy	Sanchez, Linda
Clarke	Kildee	T.
Clay	Kilpatrick (MI)	Sanchez, Loretta
Cleaver	Kilroy	Sarbanes
Clyburn	Kind	Schakowsky
Cohen	Kirkpatrick (AZ)	Schauer
Connolly (VA)	Kissell	Schiff
Conyers	Klein (FL)	Schrader
Cooper	Kosmas	Schwartz
Costa	Kratovil	Scott (GA)
Costello	Kucinich	Scott (VA)
Courtney	Langevin	Serrano
Critz	Larsen (WA)	Sestak
Crowley	Larson (CT)	Shea-Porter
Cuellar	Lee (CA)	Sherman
Cummings	Levin	Shuler
Dahlkemper	Lewis (GA)	Simpson
Davis (AL)	Lipinski	Sires
Davis (CA)	Loebbeck	Skelton
Davis (IL)	Lofgren, Zoe	Slaughter
DeFazio	Lujan	Smith (WA)
DeLauro	Lynch	Space
Deutch	Maffei	Spratt
Dicks	Maloney	Stark
Dingell	Markey (CO)	Stupak
Doggett	Markey (MA)	Sutton
Donnelly (IN)	Marshall	Taylor
Doyle	Matheson	Teague
Driehaus	Matsui	Thompson (CA)
Edwards (MD)	McCarthy (NY)	Thompson (MS)
Edwards (TX)	McCollum	Tierney
Ellison	McDermott	Tonko
Ellsworth	McGovern	Towns
Engel	McNerney	Tsongas
Eshoo	Meeks (NY)	Van Hollen
Etheridge	Michaud	Velázquez
Farr	Miller (NC)	Visclosky
Fattah	Miller, George	Walz
Filner	Mitchell	Wasserman
Foster	Mollohan	Schultz
Frank (MA)	Moore (KS)	Waters
Fudge	Moore (WI)	Watson
Garamendi	Moran (VA)	Watt
Giffords	Murphy (CT)	

Waxman	Wilson (OH)	Wu
Weiner	Woolsey	Yarmuth

#### NAYS—163

Aderholt	Franks (AZ)	Mica
Akin	Frelinghuysen	Miller (FL)
Alexander	Gallely	Miller (MI)
Austria	Garrett (NJ)	Minnick
Bachmann	Gerlach	Moran (KS)
Bachus	Gohmert	Murphy, Tim
Barrett (SC)	Goodlatte	Myrick
Bartlett	Granger	Nunes
Barton (TX)	Graves (GA)	Nye
Biggart	Graves (MO)	Olson
Blibray	Griffith	Paul
Bilirakis	Guthrie	Paulsen
Bishop (UT)	Hall (TX)	Pence
Blackburn	Harper	Petri
Boehner	Hastings (WA)	Pitts
Bonner	Heller	Platts
Bono Mack	Hensarling	Poe (TX)
Boozman	Herger	Posey
Brady (TX)	Hoekstra	Price (GA)
Bright	Hunter	Putnam
Brown (SC)	Inglis	Rehberg
Brown-Waite,	Issa	Reichert
Ginny	Jenkins	Roe (TN)
Burgess	Johnson (IL)	Rogers (AL)
Burton (IN)	Johnson, Sam	Rogers (KY)
Buyer	Jordan (OH)	Rogers (MI)
Calvert	King (IA)	Rohrabacher
Camp	King (NY)	Ros-Lehtinen
Campbell	Kingston	Royce
Cantor	Kirk	Ryan (WI)
Cao	Kline (MN)	Scalise
Capito	Lamborn	Schmidt
Carter	Lance	Sensenbrenner
Cassidy	Latham	Sessions
Castle	Latta	Shadegg
Chaffetz	Lee (NY)	Shimkus
Coble	Lewis (CA)	Shuster
Coffman (CO)	LoBiondo	Smith (NE)
Cole	Lucas	Smith (NJ)
Conaway	Luetkemeyer	Smith (TX)
Crenshaw	Lummis	Stearns
Culberson	Mack	Sullivan
Davis (KY)	Manzullo	Terry
Dent	Marchant	Thompson (PA)
Diaz-Balart, M.	McCarthy (CA)	Thornberry
Dreier	McCaul	Tiahrt
Duncan	McClintock	Tiberi
Ehlers	McCotter	Turner
Emerson	McHenry	Upton
Fallin	McIntyre	Walden
Flake	McKeon	Westmoreland
Fleming	McMahon	Whitfield
Forbes	McMorris	Wilson (SC)
Fortenberry	Rodgers	Wittman
Fox	Melancon	Wolf

#### NOT VOTING—33

Berry	Jones	Salazar
Blunt	LaTourette	Schock
Boustany	Linder	Snyder
Broun (GA)	Lowey	Speier
Buchanan	Lungren, Daniel	Tanner
Davis (TN)	E.	Titus
DeGette	Meek (FL)	Wamp
Delahunt	Miller, Gary	Welch
Diaz-Balart, L.	Neugebauer	Young (AK)
Djou	Radanovich	Young (FL)
Gingrey (GA)	Rooney	
Gutierrez	Roskam	

□ 1239

Messrs. BARRETT of South Carolina, MCHENRY, and GRAVES of Missouri changed their vote from "yea" to "nay."

Mr. RANGEL changed his vote from "nay" to "yea."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. LOWEY. Madam Speaker, I regrettably missed rollcall vote No. 515 on August 10, 2010. Had I been present, I would have voted "yea."

# MOMENT OF SILENCE FOR VICTIMS OF THE HARTFORD DISTRIBUTORS TRAGEDY

(Mr. LARSON of Connecticut asked and was given permission to address the House for 1 minute.)

Mr. LARSON of Connecticut. Madam Speaker, I rise on a very solemn and sad moment to express condolences to families of the victims within my congressional district in the State of Connecticut.

I have always empathized with my fellow colleagues when they address the House about fateful events that occur in their communities. I just never imagined that tragedy would strike so close to home. And it's hard to conceive, I know for everyone here, that bad things happen to good people.

On the morning of August 3, 2010, eight men went to work, some looking forward to vacation, others nearing retirement, none expecting the calamity that would follow. I thank my colleagues for indulging me the time to express the heartfelt condolences of the Nation and this body. Eight men went to work that morning. Some of them followed in the footsteps of their fathers and brothers before them. This is a family business, many of whom had served and worked at this family business for over 20 years. Neither they nor their families and friends could anticipate the senseless, unthinkable actions that occurred on that morning. Yet bad things happen to good people.

So consequently, ordinary people are going through extraordinary circumstances, punctuated by acts of heroism, courage, and camaraderie that unites them. These eight men, Bill Ackerman of East Windsor, Bryan Cirigliano of Newington, Francis Fazio of Bristol, Louis Felder of Stamford, Victor James of Windsor, Edwin Kennison of East Hartford, Craig Pepin of South Windsor, and Douglas Scruton of Manchester, lost their lives that day.

They were Teamsters of Local 1035. But beyond that, they were husbands, fathers, grandfathers, coaches, and friends. They were leaders and stalwarts in their communities where they lived and served. All were part of a family business, which makes this so tragic, a family that's operated a business since 1955. The owner of that business I was with that fateful morning. Stunned and shocked, as everyone was, his thoughts were only about the safety and well-being of his workforce, his concern as to whether or not they would be able to keep their wages. And he talked to the comptroller, making sure that benefits would be extended. And his heart went out to all of the families who were victims of this senseless, tragic slaying.

It's a family business. It was a tragic and horrific thing that took place in Manchester, Connecticut. What the people of Hartford Distributors have, as they went through this, and the several vigils and memorials that have been created, and the funeral services

that are still going on, is they understand that they have one another. And they intend, later this week, to lock arms and march back into the warehouse together, and continue to move forward, always remembering those eight men.

I ask that the Members rise and observe a moment of silence in memory of these eight men and their families during this senseless tragedy.

The SPEAKER pro tempore. Members will rise and observe a moment of silence.

## QUESTION OF PERSONAL PRIVILEGE

Mr. RANGEL. Madam Speaker, I rise to a point of personal privilege.

The SPEAKER pro tempore. The Chair is aware of valid bases for the gentleman's point of personal privilege.

The gentleman from New York is recognized for 1 hour.

Mr. RANGEL. My dear friends and colleagues, I rise to the floor because the newspapers and the media have indicated that there is a concern about some of the Members in this House that I retire or remove myself from this body. And I have always tried to play by the rules. And I cannot think of anybody that has encouraged me to speak here.

I want to thank all of you who are concerned about me for saying that, you know, a guy's a fool to represent himself, as some of the people have said. But I have been losing a lot of sleep over these allegations, and my family and community. And some of these rules that they have is that I am restricted by confidentiality. But for years I have been saying, No comment, no comment, no comment to a lot of serious allegations because I could not comment, and I would refer them to the Ethics Committee.

When the Ethics Committee finally brought out their statement of alleged violations, it was a long list of things, and somehow the chairman of the subcommittee of investigation indicated that I had received a lot of offers to settle this thing so that it would not cause embarrassment to my Democratic friends, and that I had been offered a reprimand. And a lot of people kind of felt that that sounded like a wonderful opportunity to remove this so that I could leave the Congress with some degree of dignity.

Why, even some people said that the President had suggested that his life might be made easier if there was no CHARLIE RANGEL so-called scandal. But I interpret it another way. I think when the President said that he wanted me to end my career in dignity, he didn't put a time limit on it. And I would think that his concern would be that if any Member of the House of Representatives has been accused of serious crimes or allegations, that somehow within the process, even though we are not entitled to a court process,

there has to be some process in which the Member has an opportunity to tell his constituents, his family, and his friends what he didn't believe.

So when the chairman of the investigative committee said I had been offered a settlement, it reminded me of something that I will devote my retiring years to besides education, which is the major thrust of my attempt here, is that those of you that come anywhere near criminal courts, we have a terrible thing that happens throughout these United States. And that is that someone gets arrested for a very serious crime, and they get their lawyer, and the lawyer explains that, I think it's better that you plead guilty to a lesser crime. And he says, Well, I am not only not guilty, but I don't even know what's involved here. They said, Well, listen, we are not suggesting that you plead guilty if you are innocent, but we think you ought to know that this judge, if you are found guilty, is going to send you away for 20 years. On the other hand, you have no offenses, you are a first offender, and if you could just forget about this thing and explain later what happened.

□ 1250

So he continues to tell his lawyer that, hey, I am willing to admit what I have done wrong, and I have done some things wrong, but I shouldn't have to anyway. He says, listen, we would never tell you to quit or resign. We are just telling you that it would be easier for us if this were not an issue. But knowing the President as I do, I think he believes that dignity means that everybody is entitled to be judged for allegations against them.

Now, what is working against me? We come back to this House because the Speaker has called us here in order to make certain that we provide resources for governors and mayors to maintain our teachers and our firefighters, and RANGEL is not on the schedule for anything. Which is okay, because I know that the members of the committee, they work hard, it is a selfless job. God knows I wouldn't take it. I respect the time that they have placed on this. And it has been almost 2 years.

But I have a primary that takes place a couple of days before they even thought about meeting. And then I found out from my lawyer that even when they meet on the 13th of September, there is no trial date for then.

So I don't want to be awkward and embarrass anybody. As a matter of fact, those people that believe that their election is going to be dependent on me resigning, I would like to encourage Democrats to believe, I think Republicans have given you enough reason to get reelected, and they continue to do something.

But quite frankly, I think I have given. I mean, a lot of people don't know, but when the—well, I don't want to be critical of the Ethics Committee because my lawyer said you can't get



annoyed with them because there still may be room for settlement. And I thought about it.

Well, when I found out that one of the Republicans that will be sitting on what they call the adjudication committee had made remarks condemning me for my contribution to City College, that it was a RANGEL thing, an ego thing and a corrupt thing, and he was going to judge me, I asked my lawyer, I said, well, how can they do that? They said well, the Ethics Committee can do what they want.

I said, well, do me a favor. I have paid close to \$2 million. I continue to owe you money. And you are telling me that you have no idea when there is going to be a hearing, and every time I talk with you there are six or seven lawyers. I said, do me a favor. I said Friday, let's see what happens today in terms of reaching out to settle this thing, because I can't afford to be represented by counsel.

Each and every day the expenses build up, and I think that I have an obligation to younger Members of Congress to be able to tell them if you couldn't raise the \$2 million, you are out of business, no matter what the allegations are, because no one is going to read the defense. And, of course, just the allegations by themselves with Members who have close districts, Republicans and Democrats, they would be out of business. So I am here because I could afford lawyers for close to 2 years, but everyone would know that there comes a limit.

So I told them, just put everything on hold. See what happens when we meet here. And, guess what? Nothing happened. There is no agenda. So what they are saying is that, well, the Ethics Committee will be leaving for Members to be able to work in their districts and to get reelected, and I am having a primary that I have to wait until after my primary to find out when the Ethics Committee intends to have a hearing. And then that hearing comes just before, maybe, the general election.

There must be something wrong with the rules, because people would advise me that I can only hurt myself by coming before this committee. Nobody has tried to protect the integrity of the Congress with 2 years, almost 2 years of investigation. They said the mistakes that RANGEL has made should be public, and it should have been public earlier than now. And I couldn't say anything because I didn't want to offend and don't want to offend the Ethics Committee. But the Ethics Committee won't even tell me when I am going to have a hearing.

And, heck, people who are concerned about me, I am 80 years old. I don't want to die before the hearing. And I think my electorate are entitled to find out who their Congressman for 40 years is. Who am I? Am I corrupt? Did I get a nickel? What did they offer me. And I want to be a role model for new Members and tell them the mistakes I made so they don't make them.

So they list foundations that specialize in providing funds for education for kids. So I am convinced that the President wants some dignity in knowing that not only am I one of his strongest supporters, but I know that you know that unless we are able to provide education for every child that is there, almost by any means possible, that our Nation's national security is being threatened by foreigners, our ability to be ahead of the curve in terms of trade. And nobody is more supportive of the President in trade. Clear up some of the things in the Korean bill so you don't hurt us. Clear up a little corruption and violence in Colombia and move on with the thing. So the whole idea is really me trying to have some dignity in making certain that America is stronger.

Now, the thing is that in the haste of sending out hundreds of letters, never asking for a penny, but still suggesting I wish you would meet with these people, because I knew that I would hope that they would convince them to provide money. Now, a lot of people have done that. That doesn't mean it is right. But the rules have changed. So there has to be a penalty for grabbing the wrong stationery and not really doing the right thing.

But it is not corrupt. It may be stupid, it may be negligent, but it is not corrupt. And there is no indication that any sworn committee would say I received a benefit.

Some might say that the benefit was that you have a legacy with your name up there. Well, I wish you would go to my Web site to take a look at my answers. This is a broken-down building that you have to run away from if someone is going to put your name on it. But it is still there.

Then they say that I would receive a luxurious office. The sworn testimony was they never told me they were giving it to me. Who the heck needs an office with 40 years of service in the Congress in a broken down building? Then they said, hey, we didn't ask him. We just put it in there so that we encourage people to put it in there. They said the name they thought was not a benefit for me, but a benefit in order to get money.

So I can't imagine why, in the course of all of these things, that I used government personnel, I didn't buy stamps—well, if you think that it is official and you are wrong, then I violated the franking benefits.

And at the end of the day, the inferences are very serious, and mistakes can be made and these things shouldn't have happened. But I can't walk away and have you guys doing your campaign because I am annoying, and the action is out there calling me corrupt.

And no one is coming forward saying RANGEL is not corrupt. RANGEL didn't make a nickel. No witness ever said there was preferential treatment given. And the one guy that had an issue before the Senate, staff, Republicans, everybody said it never came before the

House but they keep putting it down there. And guess what? It was the district attorney of New York over 40 years that suggested that I meet with him because he was in the education philanthropic business, in addition to having business in the Senate, which Republicans and Democrats say never came to the Ways and Means Committee, and staff certainly can prove it.

□ 1300

I don't know how far to go with making a mistake and trying to help kids, but you have to be very careful, new Members, of making certain when they change the rules that you know what happens. And I'm prepared to say I'm sorry for any embarrassment that has caused.

Another issue has to do with having an office, a congressional office, in the building that I live in. Now, forever people have said that I have taken advantage and had four rent-controlled, stabilized apartments. Nobody has said that the Ethics Committee never found four stabilized apartments. No one said I broke any laws. No one said that the apartment that they considered two had always been considered one at the least. No one said that 10 years ago there was an apartment, one-bedroom apartment, that I got for my family, for my political friends that I no longer have. But the concern was, well, how do you explain the congressional office?

Well, let's read the landlord's testimony. He said he was 20 percent vacant, that he needed money, that he knew that the checks were paid by the congressional committee, that the mail came in there "Rangel for Congress," and that the lawyers have told him and the officials of the city and State of New York that there was no violation of any law or rules.

And what was the benefit? The benefit was that your colleague and friend was not sensitive to the fact that there was appearance as though I was being treated differently than anyone else. But the landlord said he didn't treat me any differently, no one said that they did treat me differently, but I have to admit that I wasn't sensitive to anything because I never felt then that I was treated any differently than anybody else. And so that ends the apartment thing, but I plead guilty of not being sensitive.

Now when it comes to the negligence of the disclosures and the tax issues, there is absolutely no excuse that's there. When accusations were made, I hired a forensics accountant and told them to check out what the heck is going on, because I want to make certain that when I stand up and speak, that it's true.

Well, after I found out it was far more serious than the accusations, I then referred it to the Ethics Committee. It wasn't as though someone tracked me down, the IRS or the Clerk of the House. I filed the correct papers.

And the taxes that were paid, an accountant might say that, had my accountant recognized that this \$32,000 down payment for a house in the Dominican Republic that was promised to be paid for in 7 years would be a complete failure, and if indeed they did not give me one nickel, but whenever they thought they were making a dollar or two, they reduced the mortgage, then there is no question—you don't have to be a tax expert to know that if you didn't report that income, notwithstanding the fact that if you had done the right thing you would have no liability because the taxes that were paid to the Dominican Republic would have been deducted and with depreciation I would have no liability.

Having said that, is that an excuse that is worthy? Of course not. And the fact that there was negligence on the part of the person that for 20 years did it and the fact that I signed it does not really give an excuse as to why I should not apologize to this body for not paying the attention to it that I should have paid to it. But there is not one scintilla bit of evidence that the negligence involved in the disclosures, that there was some way to hide from the public what I had because the value of the property, they would say, was \$25,000, \$100,000, \$200,000—whatever it would be—that it didn't make any sense that I was trying to disclose it.

So why did I take the floor today when I haven't found one lawyer that said I should do it, I haven't even found one friend that said I should do it, but I thought about it. If the lawyers are going to continue to charge me—and I don't even know when the hearing is going to be, and I can't tell them I want one and not six lawyers—I don't want to offend the Ethics Committee. They're doing the best they can.

But I'm in the position that, hey, I'm 80 years old. All my life has been, from the beginning, public service. That's all I've ever done, been in the Army, been a State legislator, been a Federal prosecutor, 40 years here. And all I'm saying is that if it is the judgment of people here, for whatever reason, that I resign, then, heck, have the Ethics Committee expedite this. Don't leave me swinging in the wind until November.

If this is an emergency—and I think it is to help our local and State governments out—what about me? I don't want anyone to feel embarrassed, awkward. Hey, if I was you, I may want me to go away, too. I am not going away. I am here.

I'm not saying there is any partisanship in this. Because if I knew of all the people that have been accused of accusations, I'm in a close district and they were Republicans, I would give a couple of moments of thought to see whether or not—especially if I didn't have anything to work with to get re-elected—I would say, hey, take a look at these Republicans. They've been accused.

But I don't really think that the unfairness of this is to me. I don't take it

personally. I'm thinking about all of you.

If the President wants dignity, let's have dignity in this House where the Ethics Committee means something and that none of you, if the newspapers say anything, will have to wait 2 years before you can say “no comment.”

And, in addition to that, once they make the accusations, they have no business making any mistakes in saying that I didn't cooperate. I've got papers with my signature on it. I've got papers that said I tried my darnedest. I've got papers where my lawyer tells me she had every reason to believe that the full committee would sign on there. There was space for people to sign. I'm the only one signing. I don't know what changed their minds about settling this case.

But my lawyer says, don't offend them. My friends say, don't go to the floor. And I say, what are you going to do me? Suppose I do get emotional, suppose I do think of my life, the beginning and the end, are you going to expel me from this body? Are you going to say that, while there is no evidence that I took a nickel, asked for a nickel, that there is no sworn testimony, no conflict, that I have to leave here?

As much as I love you Democrats that figure it would be easier for you, I'm the guy that was raising money in Republican districts to get you here, but that doesn't mean that I criticize you for saying, hey, that's great then, but I'm running for reelection now. I mean, do what you have to do.

And, Republicans, hey, you don't have much to run on, but, what the hell, if RANGEL is an embarrassment based on newspaper articles, I can see why you would do it.

But think. Think. Isn't this historically the first time that it appears as though partisanship has entered the Ethics Committee? Isn't it historically the first time that the recommendations of the subcommittee of investigation is turned down? And, darn, who in the heck would want somebody who politically called you “corrupt” to be the ranking bipartisan guy to judge you?

Now I don't expect answers today, and I know you're going home, and I wish all of you well. But at the end of the day, somebody, somebody has to do more than wish I go away. Somebody has to tell me, when does RANGEL get a chance to talk to witnesses? I haven't talked with any member of the Ethics Committee in terms of settlement. My lawyers have.

□ 1310

I haven't talked with any of the witnesses. And they had to expedite this case. In other words, I have a shorter time to prepare, for reasons that they tell me, don't challenge the Ethics Committee; they make up this stuff as they go along.

My lawyer, I can understand how financially this thing can go on longer than I can afford. But she is willing to assist me in working out something in

pro bono, and I will expect the leadership to help me.

Don't let this happen to you. Don't walk away from here because it is convenient that I disappear because not all of you will be able to withstand it, as I have. If there is no issue of corruption, if everybody, including the leader over here, has to start off with what a great American I am before he drops the bomb, well, I think that should count for something. And I am not asking for leniency. I am asking for exposure of the facts. They have made a decision. I want you to make a decision.

Now, I apologize to the leadership. I feel for those people, especially newcomers that love this place so much that, like someone said: CHARLIE, they all love you. And I paused, and so they finished with: But they love themselves better. I understand that, you know. But for God's sake, just don't believe that I don't have feelings, that I don't have pride, that I do want the dignity that the President has said. And the dignity is that even if you see fit to cause me not to be able to come back, because you are not going to do it in my district, but if there is some recommendation that I be expelled, for me, for me, that would be dignity because it shows openly that this system isn't working for me. And I hope some of you might think, if it doesn't work for me, that it may not work for you.

So I know we are anxious to get home. I know I can't get on the agenda. I know that some time somewhere I will have a hearing. So while you are saying I should resign, I do hope that you might think about what happens if the whole country starts thinking it is better that you resign and don't make anyone feel uncomfortable than to have the truth, at least a person an opportunity to say you have made alleged violations. I'm saying you are wrong based on sworn testimony. And I want somebody, and I don't think it is going to be people who have been critical of me for doing the same thing that is going to be the judge.

I know outside doesn't count because we judge the conduct of our own Members. Adam Powell knew that when they wouldn't let him be seated; and the courts, of course, overruled it. But if I can't get my dignity back here, then fire your best shot in getting rid of me through expulsion.

Now I apologize for any embarrassment that I have caused. I'm prepared to admit, and try to let young people know that you never get too big to recognize that these rules are for junior Members, as they are for senior Members, and that you can't get so carried away with good intentions that you break the rules because the rules are there to make certain that we have some order, some discipline and respect for the rules.

And I violated that, and I am apologizing for it. And I don't think apologies mean that this is a light matter. It is very serious.

But corruption? No evidence, no suggestion that this was ever found. And

lastly, I close by saying that there is an organization that some of you know, certainly DCCC, National Truth in Government, and whatever, and the only thing I can say that some of my more important Democrats are on the list that sent out mail soliciting money in order to get rid of me even before I became the chairman. They have a Web site that I will be giving you because they got a lot of our Members, including Black Caucus members on their list. One I do remember is send your money in now, we've got Rangel against the ropes and we're going to get rid of him. Everyone knows who they are. They followed me on vacation. They followed me when I was doing business. They're at the airport. They're outside where I live. It is kind of rough.

I'm sensitive to your feelings and the hard work by the Ethics Committee, but this has to stop some time. It has to stop. One month; 1 year; 2 years; primaries; election. And all I'm saying is I deserve and demand the right to be heard. And if I hurt anybody's feelings, believe me, it is the equity and the fairness and the justice that I'm asking for, and not your feelings. We are entitled to our political feelings and what we want done. But we have to respect each other and this institution which I love. I love my country. I love my Congress. And there is nothing I wouldn't do to preserve this from going on. I love the disagreements. I love the debates. I love the arguments. But you are not going to tell me to resign to make you feel comfortable.

So to all of those who tried to help me to help myself, let me appreciate it. And for those who disagree, I'm sorry, but that is one thing you can't take away from me. So thank you for listening. I do hope that you have a pleasant time while you are away. And maybe, just maybe, the members of the Ethics Committee might think about telling me when they think they might have a hearing so that whatever they decide, I can let my constituents, my family, and my friends know that I did the best I could as an American, as a patriot, and someone that loves this country.

Thank you for your attention. Go home.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on House Resolution 1606, by the yeas and nays; adoption of House Resolution 1606, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 1586, EDUCATION JOBS AND MEDICAID ASSISTANCE ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1606, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 244, nays 164, not voting 24, as follows:

[Roll No. 516]

YEAS—244

Ackerman	Eshoo	Marshall
Adler (NJ)	Etheridge	Matheson
Altmire	Farr	Matsui
Andrews	Fattah	McCarthy (NY)
Arcuri	Filner	McCollum
Baca	Foster	McDermott
Baird	Frank (MA)	McGovern
Baldwin	Fudge	McIntyre
Barrow	Garamendi	McMahon
Bean	Gonzalez	McNerney
Becerra	Gordon (TN)	Meeks (NY)
Berkley	Grayson	Melancon
Berman	Green, Al	Michaud
Bishop (GA)	Green, Gene	Miller (NC)
Bishop (NY)	Grijalva	Miller, George
Blumenauer	Gutierrez	Mollohan
Bocchieri	Hall (NY)	Moore (KS)
Boren	Halvorson	Moore (WI)
Boswell	Hare	Moran (VA)
Boucher	Harman	Murphy (CT)
Boyd	Hastings (FL)	Murphy (NY)
Brady (PA)	Heinrich	Murphy, Patrick
Brale (IA)	Herseth Sandlin	Nadler (NY)
Bright	Higgins	Napolitano
Brown, Corrine	Hill	Neal (MA)
Butterfield	Himes	Nye
Capps	Hinchee	Oberstar
Capuano	Hinojosa	Obey
Cardoza	Hirono	Olver
Carnahan	Hodes	Ortiz
Carney	Holden	Owens
Carson (IN)	Holt	Pallone
Castor (FL)	Honda	Pascarell
Chandler	Hoyer	Pastor (AZ)
Childers	Inslee	Payne
Chu	Israel	Perlmutter
Clarke	Jackson (IL)	Perriello
Clay	Jackson Lee	Peters
Cleaver	(TX)	Peterson
Clyburn	Johnson (GA)	Pingree (ME)
Cohen	Johnson, E. B.	Polis (CO)
Connolly (VA)	Kagen	Pomeroy
Conyers	Kanjorski	Price (NC)
Cooper	Kaptur	Quigley
Costa	Kennedy	Rahall
Costello	Kildee	Rangel
Courtney	Kilpatrick (MI)	Reyes
Critz	Kilroy	Richardson
Crowley	Kind	Rodriguez
Cuellar	Kirkpatrick (AZ)	Ross
Cummings	Kissell	Rothman (NJ)
Dahlkemper	Klein (FL)	Roybal-Allard
Davis (AL)	Kosmas	Ruppersberger
Davis (CA)	Kratovil	Rush
Davis (IL)	Kucinich	Ryan (OH)
Davis (TN)	Langevin	Salazar
DeFazio	Larsen (WA)	Sánchez, Linda
DeLaunt	Larson (CT)	T.
DeLauro	Lee (CA)	Sanchez, Loretta
Deutch	Levin	Sarbanes
Dicks	Lewis (GA)	Schakowsky
Dingell	Lipinski	Schauer
Doggett	Loebsack	Schiff
Donnelly (IN)	Lofgren, Zoe	Schrader
Doyle	Lowe	Schwartz
Driehaus	Luján	Scott (GA)
Edwards (MD)	Lynch	Scott (VA)
Edwards (TX)	Maffei	Serrano
Ellison	Maloney	Sestak
Ellsworth	Markey (CO)	Shea-Porter
Engel	Markey (MA)	Sherman

Shuler  
Sires  
Skelton  
Slaughter  
Smith (WA)  
Space  
Spratt  
Stark  
Stupak  
Sutton  
Teague  
Thompson (CA)

Thompson (MS)  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz

Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch  
Wilson (OH)  
Woolsey  
Wu  
Yarmuth

NAYS—164

Aderholt	Frelinghuysen	Mitchell
Akin	Gallegly	Moran (KS)
Alexander	Garrett (NJ)	Murphy, Tim
Austria	Gerlach	Myrick
Bachmann	Giffords	Nunes
Bachus	Gohmert	Olson
Barrett (SC)	Goodlatte	Paul
Bartlett	Granger	Paulsen
Barton (TX)	Graves (GA)	Pence
Biggert	Graves (MO)	Petri
Bilbray	Griffith	Pitts
Billakis	Guthrie	Platts
Bishop (UT)	Hall (TX)	Poe (TX)
Blackburn	Harper	Posey
Boehner	Hastings (WA)	Price (GA)
Bonner	Heller	Putnam
Bono Mack	Hensarling	Rehberg
Boozman	Herger	Reichert
Brady (TX)	Hoekstra	Roe (TN)
Brown (SC)	Hunter	Rogers (AL)
Brown-Waite,	Inglis	Rogers (KY)
Ginny	Issa	Rogers (MI)
Burgess	Jenkins	Rohrabacher
Burton (IN)	Johnson (IL)	Ros-Lehtinen
Buyer	Johnson, Sam	Royce
Calvert	Jordan (OH)	Ryan (WI)
Camp	King (IA)	Scalise
Campbell	King (NY)	Schmidt
Cantor	Kingston	Schock
Cao	Kirk	Sensenbrenner
Capito	Kline (MN)	Sessions
Carter	Lamborn	Shadegg
Cassidy	Lance	Shimkus
Castle	Latham	Shuster
Chaffetz	Latta	Simpson
Coble	Lee (NY)	Smith (NE)
Coffman (CO)	Lewis (CA)	Smith (NJ)
Cole	LoBiondo	Smith (TX)
Conaway	Lucas	Stearns
Crenshaw	Luetkemeyer	Sullivan
Culberson	Lummis	Taylor
Davis (KY)	Mack	Terry
Dent	Manzullo	Thompson (PA)
Diaz-Balart, M.	Marchant	Thornberry
Djou	McCarthy (CA)	Tiahrt
Dreier	McCaul	Tiberi
Duncan	McClintock	Turner
Ehlers	McCotter	Upton
Emerson	McHenry	Walden
Fallin	McKeon	Westmoreland
Flake	McMorris	Whitfield
Fleming	Rodgers	Wilson (SC)
Forbes	Mica	Wittman
Fortenberry	Miller (FL)	Wolf
Fox	Miller (MI)	
Franks (AZ)	Minnick	

NOT VOTING—24

Berry	LaTourette	Roskam
Blunt	Linder	Snyder
Boustany	Lungren, Daniel	Speier
Broun (GA)	E.	Tanner
Buchanan	Meek (FL)	Wamp
DeGette	Miller, Gary	Young (AK)
Diaz-Balart, L.	Neugebauer	Young (FL)
Gingrey (GA)	Radanovich	
Jones	Rooney	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1337

So the previous question was ordered.

The result of the vote was announced as above recorded.

# MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and their families, and all who serve in our Armed Forces and their families.

# PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 1586, EDUCATION JOBS AND MEDICAID ASSISTANCE ACT

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 229, nays 173, not voting 30, as follows:

[Roll No. 517]

YEAS—229

Ackerman	Crowley	Hinchey
Adler (NJ)	Cuellar	Hirono
Altmire	Cummings	Hodes
Andrews	Davis (AL)	Holden
Arcuri	Davis (CA)	Holt
Baca	Davis (IL)	Honda
Baird	Davis (TN)	Hoyer
Baldwin	DeFazio	Inslee
Barrow	Delahunt	Israel
Bean	DeLauro	Jackson (IL)
Becerra	Deutch	Jackson Lee
Berkley	Dicks	(TX)
Berman	Dingell	Johnson (GA)
Bishop (NY)	Doggett	Johnson, E. B.
Blumenauer	Doyle	Kagen
Boccieri	Driehaus	Kanjorski
Boren	Edwards (MD)	Kaptur
Boswell	Edwards (TX)	Kennedy
Boucher	Ellison	Kildee
Boyd	Ellsworth	Kilpatrick (MI)
Brady (PA)	Engel	Kilroy
Braley (IA)	Eshoo	Kind
Brown, Corrine	Etheridge	Kirkpatrick (AZ)
Butterfield	Farr	Kissell
Capps	Fattah	Klein (FL)
Capuano	Filner	Kosmas
Cardoza	Foster	Kratovil
Carnahan	Frank (MA)	Kucinich
Carney	Fudge	Langevin
Carson (IN)	Garamendi	Larsen (WA)
Castor (FL)	Gonzalez	Larson (CT)
Chandler	Gordon (TN)	Lee (CA)
Childers	Grayson	Levin
Chu	Green, Al	Lewis (GA)
Clarke	Green, Gene	Lipinski
Clay	Grijalva	Loeb sack
Cleaver	Hall (NY)	Lofgren, Zoe
Clyburn	Halvorson	Lowe y
Cohen	Hare	Luján
Connolly (VA)	Harman	Lynch
Conyers	Hastings (FL)	Maffei
Costello	Heinrich	Maloney
Courtney	Higgins	Markey (CO)
Critz	Himes	Markey (MA)

Matheson	Peters	Skelton
Matsui	Pingree (ME)	Slaughter
McCarthy (NY)	Polis (CO)	Smith (WA)
McCollum	Pomeroy	Space
McDermott	Price (NC)	Spratt
McGovern	Quigley	Stark
McMahon	Rahall	Stupak
McNerney	Rangel	Sutton
Meeks (NY)	Reyes	Teague
Melancon	Richardson	Thompson (CA)
Michaud	Rodriguez	Thompson (MS)
Miller (NC)	Ross	Tierney
Miller, George	Rothman (NJ)	Titus
Mollohan	Roybal-Allard	Tonko
Moore (KS)	Ruppersberger	Towns
Moore (WI)	Rush	Tsongas
Moran (VA)	Ryan (OH)	Van Hollen
Murphy (CT)	Salazar	Velázquez
Murphy (NY)	Sánchez, Linda T.	Visclosky
Murphy, Patrick	Sanchez, Loretta	Walz
Nadler (NY)	Sarbanes	Wasserman
Napolitano	Schakowsky	Schultz
Neal (MA)	Schauer	Waters
Oberstar	Schiff	Watson
Obey	Schrader	Watt
Oliver	Schwartz	Waxman
Ortiz	Scott (GA)	Weiner
Owens	Scott (VA)	Welch
Pallone	Serrano	Wilson (OH)
Pascarell	Sestak	Woolsey
Pastor (AZ)	Shea-Porter	Wu
Payne	Sherman	Yarmuth
Perlmutter	Sires	
Perriello		

NAYS—173

Aderholt	Franks (AZ)	Mitchell
Akin	Frelinghuysen	Moran (KS)
Alexander	Gallegly	Murphy, Tim
Austria	Garrett (NJ)	Myrick
Bachmann	Gerlach	Nunes
Bachus	Giffords	Nye
Barrett (SC)	Goodlatte	Olson
Bartlett	Granger	Paul
Barton (TX)	Graves (GA)	Paulsen
Biggert	Graves (MO)	Pence
Bilbray	Griffith	Peterson
Bilirakis	Guthrie	Petri
Bishop (UT)	Harper	Pitts
Blackburn	Hastings (WA)	Platts
Boehner	Heller	Poe (TX)
Bonner	Hensarling	Posey
Bono Mack	Herger	Price (GA)
Boozman	Herseth Sandlin	Putnam
Brady (TX)	Hill	Rehberg
Bright	Hoekstra	Reichert
Brown (SC)	Hunter	Roe (TN)
Brown-Waite,	Inglis	Rogers (AL)
Ginny	Issa	Rogers (KY)
Burgess	Jenkins	Rogers (MI)
Burton (IN)	Johnson (IL)	Rohrabacher
Calvert	Johnson, Sam	Ros-Lehtinen
Camp	Jordan (OH)	Royce
Campbell	King (IA)	Ryan (WI)
Cantor	King (NY)	Scalise
Cao	Kingston	Schmidt
Capito	Kirk	Schock
Carter	Kline (MN)	Sensenbrenner
Cassidy	Lamborn	Sessions
Castle	Lance	Shade gg
Chaffetz	Latham	Shimkus
Coble	Latta	Shuler
Coffman (CO)	Lee (NY)	Shuster
Cole	Lewis (CA)	Simpson
Conaway	LoBiondo	Smith (NE)
Cooper	Lucas	Smith (NJ)
Costa	Luetkemeyer	Smith (TX)
Crenshaw	Lummis	Stearns
Culberson	Mack	Sullivan
Dahlkemper	Manzullo	Taylor
Davis (KY)	Marchant	Terry
Dent	Marshall	Thompson (PA)
Diaz-Balart, M.	McCarthy (CA)	Thornberry
Djou	McCaul	Tiahrt
Donnelly (IN)	McClintock	Tiberi
Dreier	McCotter	Turner
Duncan	McHenry	Upton
Ehlers	McIntyre	Walden
Emerson	McKeon	Westmoreland
Fallin	McMorris	Whitfield
Flake	Rodgers	Wilson (SC)
Fleming	Mica	Wittman
Forbes	Miller (FL)	Wolf
Fortenberry	Miller (MI)	
Fox x	Minnick	

NOT VOTING—30

Berry	Blunt	Broun (GA)
Bishop (GA)	Boustany	Buchanan

Buyer	LaTourette	Roskam
DeGette	Linder	Snyder
Diaz-Balart, L.	Lungren, Daniel	Speier
Gingrey (GA)	E.	Tanner
Gohmert	Meek (FL)	Wamp
Gutierrez	Miller, Gary	Young (AK)
Hall (TX)	Neugebauer	Young (FL)
Hinojosa	Radanovich	
Jones	Rooney	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1346

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BISHOP of Georgia. Madam Speaker, I regret that I was unavoidably absent this afternoon, August 10. Had I been present for the vote which occurred today, I would have voted "aye" on H. Res. 1606, rollcall vote No. 517.

# EDUCATION JOBS AND MEDICAID ASSISTANCE ACT

Mr. OBEY. Madam Speaker, pursuant to House Resolution 1606, I call up the bill (H.R. 1586) to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and offer the motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment to the House amendment to the Senate amendment.

The text of the Senate amendment to the House amendment to the Senate amendment is as follows:

Senate amendment to House amendment to Senate amendment:

In lieu of the matter proposed to be inserted, insert the following:

SHORT TITLE

SECTION 1. This Act may be cited as the "\_\_\_\_\_ Act of \_\_\_\_\_".

TITLE I

EDUCATION JOBS FUND

EDUCATION JOBS FUNDS

SEC. 101. There are authorized to be appropriated and there are appropriated out of any money in the Treasury not otherwise obligated for necessary expenses for an Education Jobs Fund, \$10,000,000,000: Provided, That the amount under this heading shall be administered under the terms and conditions of sections 14001 through 14013 and title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) except as follows:

(1) ALLOCATION OF FUNDS.—

(A) Funds appropriated under this heading shall be available only for allocation by the Secretary of Education (in this heading referred to as the Secretary) in accordance with subsections (a), (b), (d), (e), and (f) of section 14001 of division A of Public Law 111-5 and subparagraph (B) of this paragraph, except that the amount reserved under such subsection (b) shall not exceed \$1,000,000 and such subsection (f) shall be applied by substituting one year for two years.

(B) Prior to allocating funds to States under section 14001(d) of division A of Public Law 111–5, the Secretary shall allocate 0.5 percent to the Secretary of the Interior for schools operated or funded by the Bureau of Indian Affairs on the basis of the schools' respective needs for activities consistent with this heading under such terms and conditions as the Secretary of the Interior may determine.

(2) RESERVATION.—A State that receives an allocation of funds appropriated under this heading may reserve not more than 2 percent for the administrative costs of carrying out its responsibilities with respect to those funds.

(3) AWARDS TO LOCAL EDUCATIONAL AGENCIES.—

(A) Except as specified in paragraph (2), an allocation of funds to a State shall be used only for awards to local educational agencies for the support of elementary and secondary education in accordance with paragraph (5) for the 2010–2011 school year (or, in the case of reallocations made under section 14001(f) of division A of Public Law 111–5, for the 2010–2011 or the 2011–2012 school year).

(B) Funds used to support elementary and secondary education shall be distributed through a State's primary elementary and secondary funding formulae or based on local educational agencies' relative shares of funds under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) for the most recent fiscal year for which data are available.

(C) Subsections (a) and (b) of section 14002 of division A of Public Law 111–5 shall not apply to funds appropriated under this heading.

(4) COMPLIANCE WITH EDUCATION REFORM ASSURANCES.—For purposes of awarding funds appropriated under this heading, any State that has an approved application for Phase II of the State Fiscal Stabilization Fund that was submitted in accordance with the application notice published in the Federal Register on November 17, 2009 (74 Fed. Reg. 59142) shall be deemed to be in compliance with subsection (b) and paragraphs (2) through (5) of subsection (d) of section 14005 of division A of Public Law 111–5.

(5) REQUIREMENT TO USE FUNDS TO RETAIN OR CREATE EDUCATION JOBS.—Notwithstanding section 14003(a) of division A of Public Law 111–5, funds awarded to local educational agencies under paragraph (3)—

(A) may be used only for compensation and benefits and other expenses, such as support services, necessary to retain existing employees, to recall or rehire former employees, and to hire new employees, in order to provide early childhood, elementary, or secondary educational and related services; and

(B) may not be used for general administrative expenses or for other support services expenditures as those terms were defined by the National Center for Education Statistics in its Common Core of Data as of the date of enactment of this Act.

(6) PROHIBITION ON USE OF FUNDS FOR RAINY-DAY FUNDS OR DEBT RETIREMENT.—A State that receives an allocation may not use such funds, directly or indirectly, to—

(A) establish, restore, or supplement a rainy-day fund;

(B) supplant State funds in a manner that has the effect of establishing, restoring, or supplementing a rainy-day fund;

(C) reduce or retire debt obligations incurred by the State; or

(D) supplant State funds in a manner that has the effect of reducing or retiring debt obligations incurred by the State.

(7) DEADLINE FOR AWARD.—The Secretary shall award funds appropriated under this heading not later than 45 days after the date of the enactment of this Act to States that have submitted applications meeting the requirements applicable to funds under this heading. The Secretary shall not require information in applications beyond what is necessary to determine compliance with applicable provisions of law.

(8) ALTERNATE DISTRIBUTION OF FUNDS.—If, within 30 days after the date of the enactment of this Act, a Governor has not submitted an approvable application, the Secretary shall provide for funds allocated to that State to be distributed to another entity or other entities in the State (notwithstanding section 14001(e) of division A of Public Law 111–5) for support of elementary and secondary education, under such terms and conditions as the Secretary may establish, provided that all terms and conditions that apply to funds appropriated under this heading shall apply to such funds distributed to such entity or entities. No distribution shall be made to a State under this paragraph, however, unless the Secretary has determined (on the basis of such information as may be available) that the requirements of clauses (i), (ii), or (iii) of paragraph 10(A) are likely to be met, notwithstanding the lack of an application from the Governor of that State.

(9) LOCAL EDUCATIONAL AGENCY APPLICATION.—Section 442 of the General Education Provisions Act shall not apply to a local educational agency that has previously submitted an application to the State under title XIV of division A of Public Law 111–5. The assurances provided under that application shall continue to apply to funds awarded under this heading.

(10) MAINTENANCE OF EFFORT.—

(A) Except as provided in paragraph (8), the Secretary shall not allocate funds to a State under paragraph (1) unless the Governor of the State provides an assurance to the Secretary that—

(i) for State fiscal year 2011, the State will maintain State support for elementary and secondary education (in the aggregate or on the basis of expenditures per pupil) and for public institutions of higher education (not including support for capital projects or for research and development or tuition and fees paid by students) at not less than the level of such support for each of the two categories, respectively, for State fiscal year 2009;

(ii) for State fiscal year 2011, the State will maintain State support for elementary and secondary education and for public institutions of higher education (not including support for capital projects or for research and development or tuition and fees paid by students) at a percentage of the total revenues available to the State that is equal to or greater than the percentage provided for each of the two categories, respectively, for State fiscal year 2010; or

(iii) in the case of a State in which State tax collections for calendar year 2009 were less than State tax collections for calendar year 2006, for State fiscal year 2011 the State will maintain State support for elementary and secondary education (in the aggregate) and for public institutions of higher education (not including support for capital projects or for research and development or tuition and fees paid by students)—

(I) at not less than the level of such support for each of the two categories, respectively, for State fiscal year 2006; or

(II) at a percentage of the total revenues available to the State that is equal to or greater than the percentage provided for each of the two categories, respectively, for State fiscal year 2006.

(B) Section 14005(d)(1) and subsections (a) through (c) of section 14012 of division A of Public Law 111–5 shall not apply to funds appropriated under this heading.

(11) ADDITIONAL REQUIREMENTS FOR THE STATE OF TEXAS.—The following requirements shall apply to the State of Texas:

(A) Notwithstanding paragraph (3)(B), funds used to support elementary and secondary education shall be distributed based on local educational agencies' relative shares of funds under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) for the most recent fiscal year which data are available. Funds distributed pursuant to

this paragraph shall be used to supplement and not supplant State formula funding that is distributed on a similar basis to part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

(B) The Secretary shall not allocate funds to the State of Texas under paragraph (1) unless the Governor of the State provides an assurance to the Secretary that the State will for fiscal years 2011, 2012, and 2013 maintain State support for elementary and secondary education at a percentage of the total revenues available to the State that is equal to or greater than the percentage provided for such purpose for fiscal year 2011 prior to the enactment of this Act.

(C) Notwithstanding paragraph (8), no distribution shall be made to the State of Texas or local education agencies therein unless the Governor of Texas makes an assurance to the Secretary that the requirements in paragraphs (11)(A) and (11)(B) will be met, notwithstanding the lack of an application from the Governor of Texas.

## TITLE II

### STATE FISCAL RELIEF AND OTHER PROVISIONS; REVENUE OFFSETS

#### Subtitle A—State Fiscal Relief and Other Provisions

##### EXTENSION OF ARRA INCREASE IN FMAP

SEC. 201. Section 5001 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended—

(1) in subsection (a)(3), by striking “first calendar quarter” and inserting “first 3 calendar quarters”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(B) by adding at the end the following:

“(3) PHASE-DOWN OF GENERAL INCREASE.—

“(A) SECOND QUARTER OF FISCAL YEAR 2011.—For each State, for the second quarter of fiscal year 2011, the FMAP percentage increase for the State under paragraph (1) or (2) (as applicable) shall be 3.2 percentage points.

“(B) THIRD QUARTER OF FISCAL YEAR 2011.—For each State, for the third quarter of fiscal year 2011, the FMAP percentage increase for the State under paragraph (1) or (2) (as applicable) shall be 1.2 percentage points.”;

(3) in subsection (c)—

(A) in paragraph (2)(B), by striking “July 1, 2010” and inserting “January 1, 2011”;

(B) in paragraph (3)(B)(i), by striking “July 1, 2010” and inserting “January 1, 2011” each place it appears; and

(C) in paragraph (4)(C)(ii), by striking “the 3-consecutive-month period beginning with January 2010” and inserting “any 3-consecutive-month period that begins after December 2009 and ends before January 2011”;

(4) in subsection (e), by adding at the end the following:

“Notwithstanding paragraph (5), effective for payments made on or after January 1, 2010, the increases in the FMAP for a State under this section shall apply to payments under title XIX of such Act that are attributable to expenditures for medical assistance provided to nonpregnant childless adults made eligible under a State plan under such title (including under any waiver under such title or under section 1115 of such Act (42 U.S.C. 1315)) who would have been eligible for child health assistance or other health benefits under eligibility standards in effect as of December 31, 2009, of a waiver of the State child health plan under the title XXI of such Act.”;

(5) in subsection (g)—

(A) in paragraph (1), by striking “September 30, 2011” and inserting “March 31, 2012”;

(B) in paragraph (2), by inserting “of such Act” after “1923”; and

(C) by adding at the end the following:

“(3) CERTIFICATION BY CHIEF EXECUTIVE OFFICER.—No additional Federal funds shall be paid

to a State as a result of this section with respect to a calendar quarter occurring during the period beginning on January 1, 2011, and ending on June 30, 2011, unless, not later than 45 days after the date of enactment of this paragraph, the chief executive officer of the State certifies that the State will request and use such additional Federal funds.”; and

(6) in subsection (h)(3), by striking “December 31, 2010” and inserting “June 30, 2011”.

#### TREATMENT OF CERTAIN DRUGS FOR COMPUTATION OF MEDICAID AMP

SEC. 202. Effective as if included in the enactment of Public Law 111-148, section 1927(k)(1)(B)(i)(IV) of the Social Security Act (42 U.S.C. 1396r-8(k)(1)(B)(i)(IV)), as amended by section 2503(a)(2)(B) of Public Law 111-148 and section 1101(c)(2) of Public Law 111-152, is amended by adding at the end the following: “, unless the drug is an inhalation, infusion, in-stilled, implanted, or injectable drug that is not generally dispensed through a retail community pharmacy; and”.

#### SUNSET OF TEMPORARY INCREASE IN BENEFITS UNDER THE SUPPLEMENTAL NUTRITION ASSIST- ANCE PROGRAM

SEC. 203. Section 101(a) of title I of division A of Public Law 111-5 (123 Stat. 120), as amended by section 4262 of this Act, is amended by striking paragraph (2) and inserting the following:

“(2) TERMINATION.—The authority provided by this subsection shall terminate after March 31, 2014.”.

#### Subtitle B—Revenue Offsets

#### RULES TO PREVENT SPLITTING FOREIGN TAX CRED- ITS FROM THE INCOME TO WHICH THEY RELATE

SEC. 211. (a) IN GENERAL.—Subpart A of part III of subchapter N of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

#### “SEC. 909. SUSPENSION OF TAXES AND CREDITS UNTIL RELATED INCOME TAKEN INTO ACCOUNT.

“(a) IN GENERAL.—If there is a foreign tax credit splitting event with respect to a foreign income tax paid or accrued by the taxpayer, such tax shall not be taken into account for purposes of this title before the taxable year in which the related income is taken into account under this chapter by the taxpayer.

“(b) SPECIAL RULES WITH RESPECT TO SECTION 902 CORPORATIONS.—If there is a foreign tax credit splitting event with respect to a foreign income tax paid or accrued by a section 902 corporation, such tax shall not be taken into account—

“(1) for purposes of section 902 or 960, or

“(2) for purposes of determining earnings and profits under section 964(a),

before the taxable year in which the related income is taken into account under this chapter by such section 902 corporation or a domestic corporation which meets the ownership requirements of subsection (a) or (b) of section 902 with respect to such section 902 corporation.

“(c) SPECIAL RULES.—For purposes of this section—

“(1) APPLICATION TO PARTNERSHIPS, ETC.—In the case of a partnership, subsections (a) and (b) shall be applied at the partner level. Except as otherwise provided by the Secretary, a rule similar to the rule of the preceding sentence shall apply in the case of any S corporation or trust.

“(2) TREATMENT OF FOREIGN TAXES AFTER SUSPENSION.—In the case of any foreign income tax not taken into account by reason of subsection (a) or (b), except as otherwise provided by the Secretary, such tax shall be so taken into account in the taxable year referred to in such subsection (other than for purposes of section 986(a)) as a foreign income tax paid or accrued in such taxable year.

“(d) DEFINITIONS.—For purposes of this section—

“(1) FOREIGN TAX CREDIT SPLITTING EVENT.—There is a foreign tax credit splitting event with

respect to a foreign income tax if the related income is (or will be) taken into account under this chapter by a covered person.

“(2) FOREIGN INCOME TAX.—The term ‘foreign income tax’ means any income, war profits, or excess profits tax paid or accrued to any foreign country or to any possession of the United States.

“(3) RELATED INCOME.—The term ‘related income’ means, with respect to any portion of any foreign income tax, the income (or, as appropriate, earnings and profits) to which such portion of foreign income tax relates.

“(4) COVERED PERSON.—The term ‘covered person’ means, with respect to any person who pays or accrues a foreign income tax (hereafter in this paragraph referred to as the ‘payor’)—

“(A) any entity in which the payor holds, directly or indirectly, at least a 10 percent ownership interest (determined by vote or value),

“(B) any person which holds, directly or indirectly, at least a 10 percent ownership interest (determined by vote or value) in the payor,

“(C) any person which bears a relationship to the payor described in section 267(b) or 707(b), and

“(D) any other person specified by the Secretary for purposes of this paragraph.

“(5) SECTION 902 CORPORATION.—The term ‘section 902 corporation’ means any foreign corporation with respect to which one or more domestic corporations meets the ownership requirements of subsection (a) or (b) of section 902.

“(e) REGULATIONS.—The Secretary may issue such regulations or other guidance as is necessary or appropriate to carry out the purposes of this section, including regulations or other guidance which provides—

“(1) appropriate exceptions from the provisions of this section, and

“(2) for the proper application of this section with respect to hybrid instruments.”.

(b) CLERICAL AMENDMENT.—The table of sections for subpart A of part III of subchapter N of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 909. Suspension of taxes and credits until related income taken into account.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) foreign income taxes (as defined in section 909(d) of the Internal Revenue Code of 1986, as added by this section) paid or accrued in taxable years beginning after December 31, 2010; and

(2) foreign income taxes (as so defined) paid or accrued by a section 902 corporation (as so defined) in taxable years beginning on or before such date (and not deemed paid under section 902(a) or 960 of such Code on or before such date), but only for purposes of applying sections 902 and 960 with respect to periods after such date.

Section 909(b)(2) of the Internal Revenue Code of 1986, as added by this section, shall not apply to foreign income taxes described in paragraph (2).

#### DENIAL OF FOREIGN TAX CREDIT WITH RESPECT TO FOREIGN INCOME NOT SUBJECT TO UNITED STATES TAXATION BY REASON OF COVERED ASSET ACQUISITIONS

SEC. 212. (a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

“(m) DENIAL OF FOREIGN TAX CREDIT WITH RESPECT TO FOREIGN INCOME NOT SUBJECT TO UNITED STATES TAXATION BY REASON OF COVERED ASSET ACQUISITIONS.—

“(1) IN GENERAL.—In the case of a covered asset acquisition, the disqualified portion of any foreign income tax determined with respect to the income or gain attributable to the relevant foreign assets—

“(A) shall not be taken into account in determining the credit allowed under subsection (a), and

“(B) in the case of a foreign income tax paid by a section 902 corporation (as defined in section 909(d)(5)), shall not be taken into account for purposes of section 902 or 960.

“(2) COVERED ASSET ACQUISITION.—For purposes of this section, the term ‘covered asset acquisition’ means—

“(A) a qualified stock purchase (as defined in section 338(d)(3)) to which section 338(a) applies,

“(B) any transaction which—

“(i) is treated as an acquisition of assets for purposes of this chapter, and

“(ii) is treated as the acquisition of stock of a corporation (or is disregarded) for purposes of the foreign income taxes of the relevant jurisdiction,

“(C) any acquisition of an interest in a partnership which has an election in effect under section 754, and

“(D) to the extent provided by the Secretary, any other similar transaction.

“(3) DISQUALIFIED PORTION.—For purposes of this section—

“(A) IN GENERAL.—The term ‘disqualified portion’ means, with respect to any covered asset acquisition, for any taxable year, the ratio (expressed as a percentage) of—

“(i) the aggregate basis differences (but not below zero) allocable to such taxable year under subparagraph (B) with respect to all relevant foreign assets, divided by

“(ii) the income on which the foreign income tax referred to in paragraph (1) is determined (or, if the taxpayer fails to substantiate such income to the satisfaction of the Secretary, such income shall be determined by dividing the amount of such foreign income tax by the highest marginal tax rate applicable to such income in the relevant jurisdiction).

“(B) ALLOCATION OF BASIS DIFFERENCE.—For purposes of subparagraph (A)(i)—

“(i) IN GENERAL.—The basis difference with respect to any relevant foreign asset shall be allocated to taxable years using the applicable cost recovery method under this chapter.

“(ii) SPECIAL RULE FOR DISPOSITION OF ASSETS.—Except as otherwise provided by the Secretary, in the case of the disposition of any relevant foreign asset—

“(I) the basis difference allocated to the taxable year which includes the date of such disposition shall be the excess of the basis difference with respect to such asset over the aggregate basis difference with respect to such asset which has been allocated under clause (i) to all prior taxable years, and

“(II) no basis difference with respect to such asset shall be allocated under clause (i) to any taxable year thereafter.

“(C) BASIS DIFFERENCE.—

“(i) IN GENERAL.—The term ‘basis difference’ means, with respect to any relevant foreign asset, the excess of—

“(I) the adjusted basis of such asset immediately after the covered asset acquisition, over

“(II) the adjusted basis of such asset immediately before the covered asset acquisition.

“(ii) BUILT-IN LOSS ASSETS.—In the case of a relevant foreign asset with respect to which the amount described in clause (i)(II) exceeds the amount described in clause (i)(I), such excess shall be taken into account under this subsection as a basis difference of a negative amount.

“(iii) SPECIAL RULE FOR SECTION 338 ELECTIONS.—In the case of a covered asset acquisition described in paragraph (2)(A), the covered asset acquisition shall be treated for purposes of this subparagraph as occurring at the close of the acquisition date (as defined in section 338(h)(2)).

“(4) RELEVANT FOREIGN ASSETS.—For purposes of this section, the term ‘relevant foreign asset’ means, with respect to any covered asset acquisition, any asset (including any goodwill, going



concern value, or other intangible) with respect to such acquisition if income, deduction, gain, or loss attributable to such asset is taken into account in determining the foreign income tax referred to in paragraph (1).

“(5) FOREIGN INCOME TAX.—For purposes of this section, the term ‘foreign income tax’ means any income, war profits, or excess profits tax paid or accrued to any foreign country or to any possession of the United States.

“(6) TAXES ALLOWED AS A DEDUCTION, ETC.—Sections 275 and 78 shall not apply to any tax which is not allowable as a credit under subsection (a) by reason of this subsection.

“(7) REGULATIONS.—The Secretary may issue such regulations or other guidance as is necessary or appropriate to carry out the purposes of this subsection, including to exempt from the application of this subsection certain covered asset acquisitions, and relevant foreign assets with respect to which the basis difference is de minimis.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to covered asset acquisitions (as defined in section 901(m)(2) of the Internal Revenue Code of 1986, as added by this section) after December 31, 2010.

(2) TRANSITION RULE.—The amendments made by this section shall not apply to any covered asset acquisition (as so defined) with respect to which the transferor and the transferee are not related if such acquisition is—

(A) made pursuant to a written agreement which was binding on January 1, 2011, and at all times thereafter,

(B) described in a ruling request submitted to the Internal Revenue Service on or before July 29, 2010, or

(C) described on or before January 1, 2011, in a public announcement or in a filing with the Securities and Exchange Commission.

(3) RELATED PERSONS.—For purposes of this subsection, a person shall be treated as related to another person if the relationship between such persons is described in section 267 or 707(b) of the Internal Revenue Code of 1986.

SEPARATE APPLICATION OF FOREIGN TAX CREDIT LIMITATION, ETC., TO ITEMS RESOURCED UNDER TREATIES

SEC. 213. (a) IN GENERAL.—Subsection (d) of section 904 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (6) as paragraph (7) and by inserting after paragraph (5) the following new paragraph:

“(6) SEPARATE APPLICATION TO ITEMS RESOURCED UNDER TREATIES.—

“(A) IN GENERAL.—If—

“(i) without regard to any treaty obligation of the United States, any item of income would be treated as derived from sources within the United States,

“(ii) under a treaty obligation of the United States, such item would be treated as arising from sources outside the United States, and

“(iii) the taxpayer chooses the benefits of such treaty obligation,

subsections (a), (b), and (c) of this section and sections 902, 907, and 960 shall be applied separately with respect to each such item.

“(B) COORDINATION WITH OTHER PROVISIONS.—This paragraph shall not apply to any item of income to which subsection (h)(10) or section 865(h) applies.

“(C) REGULATIONS.—The Secretary may issue such regulations or other guidance as is necessary or appropriate to carry out the purposes of this paragraph, including regulations or other guidance which provides that related items of income may be aggregated for purposes of this paragraph.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

LIMITATION ON THE AMOUNT OF FOREIGN TAXES DEEMED PAID WITH RESPECT TO SECTION 956 INCLUSIONS

SEC. 214. (a) IN GENERAL.—Section 960 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(c) LIMITATION WITH RESPECT TO SECTION 956 INCLUSIONS.—

“(1) IN GENERAL.—If there is included under section 951(a)(1)(B) in the gross income of a domestic corporation any amount attributable to the earnings and profits of a foreign corporation which is a member of a qualified group (as defined in section 902(b)) with respect to the domestic corporation, the amount of any foreign income taxes deemed to have been paid during the taxable year by such domestic corporation under section 902 by reason of subsection (a) with respect to such inclusion in gross income shall not exceed the amount of the foreign income taxes which would have been deemed to have been paid during the taxable year by such domestic corporation if cash in an amount equal to the amount of such inclusion in gross income were distributed as a series of distributions (determined without regard to any foreign taxes which would be imposed on an actual distribution) through the chain of ownership which begins with such foreign corporation and ends with such domestic corporation.

“(2) AUTHORITY TO PREVENT ABUSE.—The Secretary shall issue such regulations or other guidance as is necessary or appropriate to carry out the purposes of this subsection, including regulations or other guidance which prevent the inappropriate use of the foreign corporation's foreign income taxes not deemed paid by reason of paragraph (1).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to acquisitions of United States property (as defined in section 956(c) of the Internal Revenue Code of 1986) after December 31, 2010.

SPECIAL RULE WITH RESPECT TO CERTAIN REDEMPTIONS BY FOREIGN SUBSIDIARIES

SEC. 215. (a) IN GENERAL.—Paragraph (5) of section 304(b) of the Internal Revenue Code of 1986 is amended by redesignating subparagraph (B) as subparagraph (C) and by inserting after subparagraph (A) the following new subparagraph:

“(B) SPECIAL RULE IN CASE OF FOREIGN ACQUIRING CORPORATION.—In the case of any acquisition to which subsection (a) applies in which the acquiring corporation is a foreign corporation, no earnings and profits shall be taken into account under paragraph (2)(A) (and subparagraph (A) shall not apply) if more than 50 percent of the dividends arising from such acquisition (determined without regard to this subparagraph) would neither—

“(i) be subject to tax under this chapter for the taxable year in which the dividends arise, nor

“(ii) be includible in the earnings and profits of a controlled foreign corporation (as defined in section 957 and without regard to section 953(c)).”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to acquisitions after the date of the enactment of this Act.

MODIFICATION OF AFFILIATION RULES FOR PURPOSES OF RULES ALLOCATING INTEREST EXPENSE

SEC. 216. (a) IN GENERAL.—Subparagraph (A) of section 864(e)(5) of the Internal Revenue Code of 1986 is amended by adding at the end the following: “Notwithstanding the preceding sentence, a foreign corporation shall be treated as a member of the affiliated group if—

“(i) more than 50 percent of the gross income of such foreign corporation for the taxable year is effectively connected with the conduct of a trade or business within the United States, and

“(ii) at least 80 percent of either the vote or value of all outstanding stock of such foreign corporation is owned directly or indirectly by

members of the affiliated group (determined with regard to this sentence).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

TERMINATION OF SPECIAL RULES FOR INTEREST AND DIVIDENDS RECEIVED FROM PERSONS MEETING THE 80-PERCENT FOREIGN BUSINESS REQUIREMENTS

SEC. 217. (a) IN GENERAL.—Paragraph (1) of section 861(a) of the Internal Revenue Code of 1986 is amended by striking subparagraph (A) and by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

(b) GRANDFATHER RULE WITH RESPECT TO WITHHOLDING ON INTEREST AND DIVIDENDS RECEIVED FROM PERSONS MEETING THE 80-PERCENT FOREIGN BUSINESS REQUIREMENTS.—

(1) IN GENERAL.—Subparagraph (B) of section 871(i)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

“(B) The active foreign business percentage of—

“(i) any dividend paid by an existing 80/20 company, and

“(ii) any interest paid by an existing 80/20 company.”.

(2) DEFINITIONS AND SPECIAL RULES.—Section 871 of such Code is amended by redesignating subsections (l) and (m) as subsections (m) and (n), respectively, and by inserting after subsection (k) the following new subsection:

“(l) RULES RELATING TO EXISTING 80/20 COMPANIES.—For purposes of this subsection and subsection (i)(2)(B)—

“(1) EXISTING 80/20 COMPANY.—

“(A) IN GENERAL.—The term ‘existing 80/20 company’ means any corporation if—

“(i) such corporation met the 80-percent foreign business requirements of section 861(c)(1) (as in effect before the date of the enactment of this subsection) for such corporation's last taxable year beginning before January 1, 2011,

“(ii) such corporation meets the 80-percent foreign business requirements of subparagraph (B) with respect to each taxable year after the taxable year referred to in clause (i), and

“(iii) there has not been an addition of a substantial line of business with respect to such corporation after the date of the enactment of this subsection.

“(B) FOREIGN BUSINESS REQUIREMENTS.—

“(i) IN GENERAL.—Except as provided in clause (iv), a corporation meets the 80-percent foreign business requirements of this subparagraph if it is shown to the satisfaction of the Secretary that at least 80 percent of the gross income from all sources of such corporation for the testing period is active foreign business income.

“(ii) ACTIVE FOREIGN BUSINESS INCOME.—For purposes of clause (i), the term ‘active foreign business income’ means gross income which—

“(I) is derived from sources outside the United States (as determined under this subchapter), and

“(II) is attributable to the active conduct of a trade or business in a foreign country or possession of the United States.

“(iii) TESTING PERIOD.—For purposes of this subsection, the term ‘testing period’ means the 3-year period ending with the close of the taxable year of the corporation preceding the payment (or such part of such period as may be applicable). If the corporation has no gross income for such 3-year period (or part thereof), the testing period shall be the taxable year in which the payment is made.

“(iv) TRANSITION RULE.—In the case of a taxable year for which the testing period includes 1 or more taxable years beginning before January 1, 2011—

“(I) a corporation meets the 80-percent foreign business requirements of this subparagraph if and only if the weighted average of—

“(aa) the percentage of the corporation's gross income from all sources that is active foreign business income (as defined in subparagraph (B) of section 861(c)(1) (as in effect before



the date of the enactment of this subsection)) for the portion of the testing period that includes taxable years beginning before January 1, 2011, and

“(bb) the percentage of the corporation’s gross income from all sources that is active foreign business income (as defined in clause (ii) of this subparagraph) for the portion of the testing period, if any, that includes taxable years beginning on or after January 1, 2011,

is at least 80 percent, and

“(II) the active foreign business percentage for such taxable year shall equal the weighted average percentage determined under subclause (I).

“(2) ACTIVE FOREIGN BUSINESS PERCENTAGE.—Except as provided in paragraph (1)(B)(iv), the term ‘active foreign business percentage’ means, with respect to any existing 80/20 company, the percentage which—

“(A) the active foreign business income of such company for the testing period, is of

“(B) the gross income of such company for the testing period from all sources.

“(3) AGGREGATION RULES.—For purposes of applying paragraph (1) (other than subparagraphs (A)(i) and (B)(iv) thereof) and paragraph (2)—

“(A) IN GENERAL.—The corporation referred to in paragraph (1)(A) and all of such corporation’s subsidiaries shall be treated as one corporation.

“(B) SUBSIDIARIES.—For purposes of subparagraph (A), the term ‘subsidiary’ means any corporation in which the corporation referred to in subparagraph (A) owns (directly or indirectly) stock meeting the requirements of section 1504(a)(2) (determined by substituting ‘50 percent’ for ‘80 percent’ each place it appears and without regard to section 1504(b)(3)).

“(4) REGULATIONS.—The Secretary may issue such regulations or other guidance as is necessary or appropriate to carry out the purposes of this section, including regulations or other guidance which provide for the proper application of the aggregation rules described in paragraph (3).”.

(c) CONFORMING AMENDMENTS.—

(1) Section 861 of the Internal Revenue Code of 1986 is amended by striking subsection (c) and by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

(2) Paragraph (9) of section 904(h) of such Code is amended to read as follows:

“(9) TREATMENT OF CERTAIN DOMESTIC CORPORATIONS.—In the case of any dividend treated as not from sources within the United States under section 861(a)(2)(A), the corporation paying such dividend shall be treated for purposes of this subsection as a United States-owned foreign corporation.”.

(3) Subsection (c) of section 2104 of such Code is amended in the last sentence by striking “or to a debt obligation of a domestic corporation” and all that follows and inserting a period.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2010.

(2) GRANDFATHER RULE FOR OUTSTANDING DEBT OBLIGATIONS.—

(A) IN GENERAL.—The amendments made by this section shall not apply to payments of interest on obligations issued before the date of the enactment of this Act.

(B) EXCEPTION FOR RELATED PARTY DEBT.—Subparagraph (A) shall not apply to any interest which is payable to a related person (determined under rules similar to the rules of section 954(d)(3)).

(C) SIGNIFICANT MODIFICATIONS TREATED AS NEW ISSUES.—For purposes of subparagraph (A), a significant modification of the terms of any obligation (including any extension of the term of such obligation) shall be treated as a new issue.

LIMITATION ON EXTENSION OF STATUTE OF LIMITATIONS FOR FAILURE TO NOTIFY SECRETARY OF CERTAIN FOREIGN TRANSFERS

SEC. 218. (a) IN GENERAL.—Paragraph (8) of section 6501(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking “In the case of any information” and inserting the following:

“(A) IN GENERAL.—In the case of any information”; and

(2) by adding at the end the following:

“(B) APPLICATION TO FAILURES DUE TO REASONABLE CAUSE.—If the failure to furnish the information referred to in subparagraph (A) is due to reasonable cause and not willful neglect, subparagraph (A) shall apply only to the item or items related to such failure.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in section 513 of the Hiring Incentives to Restore Employment Act.

ELIMINATION OF ADVANCE REFUNDABILITY OF EARNED INCOME CREDIT

SEC. 219. (a) IN GENERAL.—The following provisions of the Internal Revenue Code of 1986 are repealed:

(1) Section 3507.

(2) Subsection (g) of section 32.

(3) Paragraph (7) of section 6051(a).

(b) CONFORMING AMENDMENTS.—

(1) Section 6012(a) of the Internal Revenue Code of 1986 is amended by striking paragraph (8) and by redesignating paragraph (9) as paragraph (8).

(2) Section 6302 of such Code is amended by striking subsection (i).

(3) The table of sections for chapter 25 of such Code is amended by striking the item relating to section 3507.

(c) EFFECTIVE DATE.—The repeals and amendments made by this section shall apply to taxable years beginning after December 31, 2010.

### TITLE III RESCISSIONS

SEC. 301. There is rescinded from accounts under the heading “Department of Agriculture—Rural Development”, \$122,000,000, to be derived from the unobligated balances of funds that were provided for such accounts in prior appropriation Acts (other than Public Law 111–5) and that were designated by the Congress in such Acts as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 302. Of the funds made available for “Department of Commerce—National Telecommunications and Information Administration—Broadband Technology Opportunities Program” in title II of division A of Public Law 111–5, \$302,000,000 are rescinded.

SEC. 303. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are rescinded from the following accounts in the specified amounts:

“Aircraft Procurement, Army, 2008/2010”, \$21,000,000;

“Procurement of Weapons and Tracked Combat Vehicles, Army, 2008/2010”, \$21,000,000;

“Procurement of Ammunition, Army, 2008/2010”, \$17,000,000;

“Other Procurement, Army, 2008/2010”, \$75,000,000;

“Weapons Procurement, Navy, 2008/2010”, \$26,000,000;

“Other Procurement, Navy, 2008/2010”, \$42,000,000;

“Procurement, Marine Corps, 2008/2010”, \$13,000,000;

“Aircraft Procurement, Air Force, 2008/2010”, \$102,000,000;

“Missile Procurement, Air Force, 2008/2010”, \$28,000,000;

“Procurement of Ammunition, Air Force, 2008/2010”, \$7,000,000;

“Other Procurement, Air Force, 2008/2010”, \$130,000,000;

“Procurement, Defense-Wide, 2008/2010”, \$33,000,000;

“Research, Development, Test and Evaluation, Army, 2009/2010”, \$76,000,000;

“Research, Development, Test and Evaluation, Air Force, 2009/2010”, \$164,000,000;

“Research, Development, Test and Evaluation, Defense-Wide, 2009/2010”, \$137,000,000;

“Operation, Test and Evaluation, Defense, 2009/2010”, \$1,000,000;

“Operation and Maintenance, Army, 2010”, \$154,000,000;

“Operation and Maintenance, Navy, 2010”, \$155,000,000;

“Operation and Maintenance, Marine Corps, 2010”, \$25,000,000;

“Operation and Maintenance, Air Force, 2010”, \$155,000,000;

“Operation and Maintenance, Defense-Wide, 2010”, \$126,000,000;

“Operation and Maintenance, Army Reserve, 2010”, \$12,000,000;

“Operation and Maintenance, Navy Reserve, 2010”, \$6,000,000;

“Operation and Maintenance, Marine Corps Reserve, 2010”, \$1,000,000;

“Operation and Maintenance, Air Force Reserve, 2010”, \$14,000,000;

“Operation and Maintenance, Army National Guard, 2010”, \$28,000,000; and

“Operation and Maintenance, Air National Guard, 2010”, \$27,000,000.

SEC. 304. (a) Of the funds appropriated in the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), the following funds are rescinded from the following accounts in the specified amounts:

“Operation and Maintenance, Army, 2009/2010”, \$113,500,000;

“Operation and Maintenance, Navy, 2009/2010”, \$34,000,000;

“Operation and Maintenance, Marine Corps, 2009/2010”, \$7,000,000;

“Operation and Maintenance, Air Force, 2009/2010”, \$61,000,000;

“Operation and Maintenance, Army Reserve, 2009/2010”, \$3,500,000;

“Operation and Maintenance, Navy Reserve, 2009/2010”, \$8,000,000;

“Operation and Maintenance, Marine Corps Reserve, 2009/2010”, \$1,000,000;

“Operation and Maintenance, Air Force Reserve, 2009/2010”, \$2,000,000;

“Operation and Maintenance, Army National Guard, 2009/2010”, \$1,000,000;

“Operation and Maintenance, Air National Guard, 2009/2010”, \$2,500,000; and

“Defense Health Program, 2009/2010”, \$27,000,000.

(b) Of the funds appropriated in the Supplemental Appropriations Act, 2008 (Public Law 110–252), the following funds are rescinded from the following account in the specified amount:

“Procurement, Marine Corps, 2009/2011”, \$122,000,000.

SEC. 305. (a) Of the funds appropriated for “Procurement of Weapons and Tracked Combat Vehicles, Army” in title III of division A of public Law 111–118, \$116,000,000 are rescinded.

(b) Of the funds appropriated for “Other Procurement, Army” in title III of division C of Public Law 110–329, \$87,000,000 are rescinded.

SEC. 306. There are rescinded the following amounts from the specified accounts:

(1) \$20,000,000, to be derived from unobligated balances of funds made available in prior appropriations Acts under the heading “Department of Energy—Nuclear Energy”.

SEC. 307. Of the unobligated balances of funds provided under the heading “Nuclear Regulatory Commission” in prior appropriations Acts, \$18,000,000 is permanently rescinded.

SEC. 308. Of the funds made available for “Department of Energy—Title 17—Innovative Technology Loan Guarantee Program” in title III of division A of Public Law 111–5, \$1,500,000,000 are rescinded.

SEC. 309. There are permanently rescinded from “General Services Administration—Real

Property Activities—Federal Building Fund”, \$75,000,000 from Rental of Space and \$25,000,000 from Building Operations, to be derived from unobligated balances that were provided in previous appropriations Acts.

SEC. 310. Of the funds made available for “Bureau of Indian Affairs—Indian Guaranteed Loan Program Account” in title VII of division A of Public Law 111–5, \$6,820,000 are rescinded.

SEC. 311. Of the funds made available for “Environmental Protection Agency—Hazardous Substance Superfund” in title VII of division A of Public Law 111–5, \$2,600,000 are rescinded.

SEC. 312. Of the funds made available for “Environmental Protection Agency—Leaking Underground Storage Tank Trust Fund Program” in title VII of division A of Public Law 111–5, \$9,200,000 are rescinded.

SEC. 313. Of the funds made available for transfer in title VII of division A of Public Law 111–5, “Environmental Protection Agency—Environmental Programs and Management”, \$10,000,000 are rescinded.

SEC. 314. Of the funds made available for “National Park Service—Construction” in chapter 7 of division B of Public Law 108–324, \$4,800,000 are rescinded.

SEC. 315. Of the funds made available for “National Park Service—Construction” in chapter 5 of title II of Public Law 109–234, \$6,400,000 are rescinded.

SEC. 316. Of the funds made available for “Fish and Wildlife Service—Construction” in chapter 6 of title I of division B of Public Law 110–329, \$3,000,000 are rescinded.

SEC. 317. The unobligated balance of funds appropriated in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1995 (Public Law 103–333; 108 Stat. 2574) under the heading “Public Health and Social Services Emergency Fund” is rescinded.

SEC. 318. Of the funds appropriated for the Commissioner of Social Security under section 2201(e)(2)(B) in title II of division B of Public Law 111–5, \$47,000,000 are rescinded.

SEC. 319. Of the funds appropriated in part VI of subtitle I of title II of division B of Public Law 111–5, \$110,000,000 are rescinded, to be derived only from the amount provided under section 1899K(b) of such title.

SEC. 320. Of the funds appropriated for “Department of Education—Education for the Disadvantaged” in division D of Public Law 111–117, \$50,000,000 are rescinded, to be derived only from the amount provided for a comprehensive literacy development and education program under section 1502 of the Elementary and Secondary Education Act of 1965.

SEC. 321. Of the funds appropriated for “Department of Education—Student Aid Administration” in division D of Public Law 111–117, \$82,000,000 are rescinded.

SEC. 322. Of the funds appropriated for “Department of Education—Innovation and Improvement” in division D of Public Law 111–117, \$10,700,000 are rescinded, to be derived only from the amount provided to carry out subpart 8 of part D of title V of the Elementary and Secondary Education Act of 1965.

SEC. 323. Of the unobligated balances available under “Department of Defense, Military Construction, Army” from prior appropriations Acts, \$340,000,000 is rescinded: Provided, That no funds may be rescinded from amounts that were designated by the Congress as an emergency requirement or as appropriations for overseas deployments and other activities pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 324. Of the unobligated balances available under “Department of Defense, Military Construction, Navy and Marine Corps” from prior appropriations Acts, \$110,000,000 is rescinded: Provided, That no funds may be rescinded from amounts that were designated by the Congress as an emergency requirement or as

appropriations for overseas deployments and other activities pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 325. Of the unobligated balances available under “Department of Defense, Military Construction, Air Force” from prior appropriations Acts, \$50,000,000 is rescinded: Provided, That no funds may be rescinded from amounts that were designated by the Congress as an emergency requirement or as appropriations for overseas deployments and other activities pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 326. Of the funds made available for the General Operating Expenses account of the Department of Veterans Affairs in section 2201(e)(4)(A)(ii) of division B of Public Law 111–5 (123 Stat. 454; 26 U.S.C. 6428 note), \$6,100,000 are rescinded.

SEC. 327. Of the amount appropriated or otherwise made available by title X of division A of Public Law 111–5, the American Recovery and Reinvestment Act of 2009, under the heading “Departmental Administration, Information Technology Systems” \$5,000,000 is hereby rescinded.

SEC. 328. (a) MILLENNIUM CHALLENGE CORPORATION.—Of the unobligated balances available under the heading “Millennium Challenge Corporation” in title III of division H of Public Law 111–8 and under such heading in prior Acts making appropriations for the Department of State, foreign operations, and related programs, \$50,000,000 are rescinded.

(b) CIVILIAN STABILIZATION INITIATIVE.—

(1) DEPARTMENT OF STATE.—Of the unobligated balances available under the heading “Department of State—Administration of Foreign Affairs—Civilian Stabilization Initiative” in prior Acts making appropriations for the Department of State, foreign operations, and related programs, \$40,000,000 are rescinded.

(2) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—Of the unobligated balances available under the heading “United States Agency for International Development—Funds Appropriated to the President—Civilian Stabilization Initiative” in prior Acts making appropriations for the Department of State, foreign operations, and related programs, \$30,000,000 are rescinded.

SEC. 329. There are rescinded the following amounts from the specified accounts:

(1) “Department of Transportation—Federal Aviation Administration—Facilities and Equipment”, \$2,182,544, to be derived from unobligated balances made available under this heading in Public Law 108–324.

(2) “Department of Transportation—Federal Aviation Administration—Facilities and Equipment”, \$5,705,750, to be derived from unobligated balances made available under this heading in Public Law 109–148.

SEC. 330. Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, \$2,200,000,000 are permanently rescinded: Provided, That such rescission shall be distributed among the States in the same proportion as the funds subject to such rescission were apportioned to the States for fiscal year 2009: Provided further, That such rescission shall not apply to the funds distributed in accordance with sections 130(f) and 104(b)(5) of title 23, United States Code; sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of Public Law 109–59; and the first sentence of section 133(d)(3)(A) of such title: Provided further, That notwithstanding section 1132 of Public Law 110–140, in administering the rescission required under this heading, the Secretary of Transportation shall allow each State to determine the amount of the required rescission to be drawn from the programs to which the rescission applies.

## TITLE IV

## BUDGETARY PROVISIONS

## BUDGETARY PROVISIONS

SEC. 401. The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on this conference report or amendment between the Houses.

## MOTION OFFERED BY MR. OBEY

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Obey moves that the House concur in the Senate amendment to the House amendment to the Senate amendment to H.R. 1586.

The SPEAKER pro tempore. Pursuant to House Resolution 1606, the motion shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations, the chair and ranking minority member of the Committee on Ways and Means, and the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Wisconsin (Mr. OBEY), the gentleman from California (Mr. LEWIS), the gentleman from Michigan (Mr. LEVIN), the gentleman from Michigan (Mr. CAMP), the gentleman from California (Mr. WAXMAN), and the gentleman from Texas (Mr. BARTON) each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, today we have heard from our friends on the minority side an ample amount of sarcasm and cynicism and partisan hyperbole mixed in with fiscal fiction. I hope we can cut through that today.

Today, we can either sit frozen in the ice of our own indifference, as Franklin Roosevelt once said, or we can take action to help States meet their safety net obligations and to protect our children's education by keeping teachers in the classroom while we continue to claw our way back from the most devastating economic crisis since the Great Depression.

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Last year, in the first job recovery package, we recognized two reasons for providing Federal aid to States and school districts. The first was to reduce the human carnage that occurs when we take kids off health care coverage or let their education suffer because of teacher layoffs. The second was that standing by while States, localities, and school boards cut essential investments in services and impose significant new taxes will cripple the ability of the economy to grow and cause additional job weakness in both private and public sectors.

It is important, Madam Speaker, to remember how we got here. The failed

economic policies of the previous 8 years obliterated hard-won budget surpluses inherited from President Clinton. Federal oversight of Wall Street banks was gutted, allowing them to morph into casinos, and drive the economy into catastrophic collapse. That produced monthly losses of 750,000 jobs in each of the last 3 months of the Bush administration.

We now know that the economic crisis was even deeper and more broad than we initially expected. While the economy has improved, the effects of the recession are still not behind us. They are still affecting people's lives and livelihoods.

Three times before today, in December, in May, and in July we tried to take additional actions to ease the problems, and three times we were blocked. Now, today we have this much-reduced bill to provide \$10 billion in funding to save somewhere around 160,000 education jobs and \$16 billion in health assistance to the States.

Our friends in the minority accuse us of including job-killing tax increases to pay for it. That's ridiculous. The bill closes a tax loophole that encourages companies to ship jobs overseas. Not only will that help pay for this package, it will fix a hole in the tax code that is rewarding companies for sending American jobs elsewhere.

Still others, including the leadership of the minority, call this a special interest bailout. To that I say since when do we regard America's kids as a special interest group?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. OBEY. I yield myself 2 additional minutes.

You don't get a second chance to educate kids. We should not fool ourselves into thinking that this package will do as much as we ought to be doing to ease the squeeze on the national economy. We will have partially offset with this bill the human wreckage caused by the recession, but we will still have done nothing in this round to address the macro reality that the economy is still incredibly weak. This bill will soften the blow of State budget cutbacks, but those very cutbacks have had a negative and neutralizing effect on the Federal fiscal stimulus in the first place.

This is a far less dramatic action than the Nation needs to recover from the recession. But this aid is long overdue, and the time for arguing is past. The cutbacks in food stamps in the bill are plain wrong. But face it, the minority party in the Senate is using the rules of the Senate to give them the functional equivalent of the majority's ability to determine the agenda of that body, and they have decided to follow a rule or ruin approach to governance, blocking every action they can, and in this case delaying action to the point of complete confusion.

Our Nation's kids are getting ready to go back to school. They need this help now, inadequate though it is. I

urge all Members to vote "yes" to give it to them. It's the least we should do.

I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I yield myself such time as I may consume.

States across America have as their number one responsibility the education of our young. If the States cannot allocate their own spending in order to carry out that top responsibility, we will never solve the problem with a bailout from Uncle Sam. A multibillion-dollar bailout today will set the stage for nationalized education tomorrow. That will surely push our economy over the cliff of bankruptcy.

Why are we talking with each other here today? We should be meeting with our constituents, holding town hall meetings, and listening to what's on the hearts and minds of our voters. The folks in my district have made their concerns very clear. They're saying, "Jerry, tell those big spending politicians in Washington to stop spending our money." But the Democrat majority is so addicted to spending that they have called Congress back just to vote on yet another multibillion-dollar bailout.

I'm left scratching my head, because in the past few months this Congress has done virtually none of the work that the voters sent us here to do. We haven't passed a budget, we haven't funded defense and homeland security. We made our troops wait months before passing funds to support their fight against international terrorism.

The majority leadership calls the bill before us a major accomplishment. They hope it will please teachers' unions and inspire the Democratic base 2 months before the November election. I believe most voters will see it for what it is, further evidence that this Congress has a spending problem. To the voters, the 111th Congress will go down in history as the bailout Congress. The Congress has already spent \$75 billion in stimulus dollars to help States with education. That was supposed to be a one-time, temporary bailout, approved by the American Reinvestment and Recovery Act.

I am very proud of the fact that three of my four children are teachers. They work very hard to provide quality education in the classroom. They know that schools should be run by parents, teachers, and local communities. The more we approve these bailouts, the more the Federal Government takes over that role.

Mr. Speaker, I know that my Democrat colleagues say that this legislation is quote, "fully paid for." On the other hand, the bill spends the entire \$26 billion in just 2 years, while the offsets take place over 10 years. The so-called offsets in this legislation are produced by almost a \$10 billion increase in taxes, \$13.4 billion in reductions in two programs that are popular with Democrat leaders. That is the food stamp program and renewable energy projects. Some Democrat leaders

have already pledged to restore funding to these programs. Some of these so-called cuts could be eliminated as soon as November in a lame duck session.

Mr. Speaker, beware of a lame duck session called by this Congress. I want to emphasize this again to my colleagues. The voters do not want us to throw more money at our Nation's problems, yet that is exactly what this bill does. It's time, Mr. Speaker, to put Uncle Sam on a diet and put an end to the congressional spending spree.

I urge a "no" vote on this legislation, and reserve the balance of my time.

Mr. OBEY. Madam Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentleman for yielding. I want to thank him for his persistence in pushing this legislation, and finally to have this legislation back from the Senate today so that we can help school districts.

The scandals that were permitted under the Bush administration cost middle class families trillions of dollars in the loss of their wealth in their pension plans, in their jobs, in the value of their homes. Now the question is whether or not school children in this Nation should be further victims of these financial scandals that were tolerated, and whether or not these school districts that have had the revenues that they rely on to fund the schools that have been ripped away because of the loss of property values, because of the loss of sales tax, because of the loss of income tax, because of the results of those scandals. The answer in this bill is no, that in fact we should help school districts make sure that children can get a first class education, that they don't lose a year of education because of those financial scandals that happened on the watch of the past administration as the banks and Wall Street ran amok.

So we should pass this bill and make sure that those 160,000 teachers can return to the classroom. I would like to ask the gentleman a question.

It's my understanding, Mr. Chairman, under this legislation, that when the governor makes application for these funds, under the bill the Secretary can require the governor to choose one of two formulas, the State allocation formula or the title I formula, and to post that formula so school districts would then be able to know their allocation as soon as possible so they could start to rehire people and start to reduce class sizes or other decisions that school boards hope to make to provide for that education. Is that your understanding that that's permitted under this legislation?

□ 1400

Mr. OBEY. That is the committee's intent.

Mr. GEORGE MILLER of California. So the Governor would put that in the application, declare the formula, and

post that, so that school districts would be on the earliest possible notice.

Mr. OBEY. That is our intent.

Mr. GEORGE MILLER of California. Again I want to thank you. You have sent the bill to the Senate, the House sent it last year, and you sent it three times this year. Thank you again for your persistence and your work on this issue.

Mr. LEWIS of California. Madam Speaker, I am proud to yield 2 minutes to the former chairman of the Education Committee, now the senior Republican on the Armed Services Committee, the gentleman from California (Mr. McKEON).

(Mr. McKEON asked and was given permission to revise and extend his remarks.)

Mr. McKEON. Madam Speaker, I thank the gentleman for yielding.

Today I rise in opposition to this measure, which will increase domestic spending at the expense of national security. Specifically, the Federal Government will spend \$10 billion for this teacher bailout, paid in part with a \$3.3 billion cut in defense programs. As the ranking member of the House Armed Services Committee, I can assure you that the Department of Defense has need of these funds, including unfunded requirements related to our operations in Iraq and Afghanistan. I say this fully aware of the needs of our educational system as the former chairman and ranking member of Education and Labor.

Those in favor of this bill will say that this money was previously identified by the Department of Defense as unspent and available for higher priorities, but this argument misses two larger points.

First, as yesterday's Military Times observed, diverting money from the defense budget to education programs would eliminate any opportunity for the Defense Department or Congress to take unobligated money from one defense program to spend on another defense program.

Second, rescissions to the defense budget this late in the fiscal year are problematic and disruptive to operations. As the Department of Defense Comptroller has told the Armed Services Committee, this rescission will require that Defense restructure or postpone programs, and in some cases the money is no longer available in these accounts.

Finally, I remain concerned that this is the beginning of a slippery slope. The Secretary of Defense has initiated an ongoing effort to generate \$100 billion in savings within the Department of Defense over the next 5 years, the only secretary that has been asked to do this. My ultimate concern is these savings will not be reinvested into America's defense requirements, but will be harvested by congressional Democrats for new domestic spending and entitlement programs.

We see today that this is already happening. Congressional Democrats,

with the full support of the White House, are taking critical defense funding to pay for another State bailout.

Madam Speaker, today I rise in opposition to this measure, which will increase domestic spending at the expense of national security. Specifically, the Federal Government will spend \$10 billion for this teacher bailout, paid for in part with a \$3.3 billion cut in defense programs. As the Ranking Member of the House Armed Services Committee, I can assure you that the Department of Defense has need for these funds, including unfunded requirements related to our operations in Iraq and Afghanistan. I say this fully aware of the needs of our educational system, as the former Chairman and Ranking Member of Education and Labor.

Those in favor of this bill will say that this money was previously identified by the Department of Defense as unspent and available for higher priorities. This includes \$683.5 million unspent from last year's economic stimulus package and \$325 million for military construction projects. They will use this argument to convince members that these cuts will not harm the Department and to assure you that this next bailout is fully paid for.

But this argument misses two larger points. First, as yesterday's Military Times observed, "... diverting money from the defense budget to education programs would eliminate any opportunity for the Defense Department or Congress to take unobligated money from one defense program to spend on another defense program." For example, in the Fiscal Year 2011 National Defense Authorization Act, we used the unobligated balances for military construction projects to fund other more pressing infrastructure needs, such as barracks and armories, and many of the services' unfunded requirements. Now these funds will no longer be available for these purposes and the services will have outstanding needs go unmet.

Second, rescissions to the DoD budget this late in the fiscal year are problematic and disruptive to operations. As the Department of Defense Comptroller has told the Armed Services Committee, this rescission will require that DoD restructure or postpone programs. I am confident the Department will try to avoid adverse effects on the wars in Iraq and Afghanistan, but when this nation is fighting two wars, Congress should not be pulling the financial rug out from under DoD at the end of the year.

Moreover, while these funds were identified as "unspent" earlier this year, some of these "unspent" dollars have already been diverted to other defense programs. When we cut the original accounts now, it will mean that some of these accounts no longer have enough money in them. Think about your own checking account—at the beginning of the year, you see that you have \$1000 more than your budget says you'll need. So you move \$800 into another account or give it to one of your children. If the government comes and takes \$1000 from you at the end of the year, your remaining account balance may not be sufficient and you find yourself in an overdraft situation. In the case of government agencies it is against the law to overdraft an account. We have been told that the Department of Defense may find itself in violation of the Antideficiency Act in some accounts.

Finally, I remain concerned that this is the beginning of a slippery slope. The Secretary of

Defense has initiated an ongoing effort to generate \$100 billion in savings within the Department of Defense over the next five years. Yesterday he announced a series of spending freezes and closures of organizations within his office and combatant commands. Secretary Gates plans on plowing these savings back into force structure and modernization accounts. As elected officials, Members of Congress have a responsibility to ensure U.S. taxpayer dollars are not wasted on inefficient, wasteful or redundant programs. All of us support efforts to identify and curb such programs. Yet, as Members of the House Armed Services Committee, we are also tasked with the unique responsibility of providing for America's national defense and meeting the needs of our military services, which is why we will need to receive more information from the Department of Defense so we fully understand the rationale behind each decision and potential impact of every cut.

My ultimate concern is that these savings will not be reinvested into America's defense requirements, but will be harvested by Congressional Democrats for new domestic spending and entitlement programs. We see today that this is already happening. Congressional Democrats—with the full support of the White House—are taking critical defense funding to pay for another state bailout. What's to stop them from taking this money, too?

At his press conference yesterday Secretary Gates stated, "... my greatest fear is that in economic tough times that people will see the defense budget as the place to solve the Nation's deficit problems, to find money for other parts of the government ... And as I look around the world and see ... more failed and failing states, countries that are investing heavily in their militaries ... as I look at the new kinds of threats emerging from cyber to precision ballistic and cruise missiles and so on—my greatest worry is that we will do to the defense budget what we have done four times before. And that is, slash it in an effort to find some kind of a dividend to put the money someplace else. I think that would be disastrous in the world environment we see today and what we're likely to see in the years to come."

I urge my colleagues to heed the advice of the Secretary in this matter and vote no to a cut in defense spending. Instead of another Federal bailout, let's make sure our men and women in uniform have the resources and equipment they need. Leave this money in the Department of Defense where it belongs.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. OBEY. I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I am proud to yield 1 minute to our former chairman of the Agriculture Committee, the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman for yielding, and I rise in opposition to this legislation.

H.R. 1586, the State bailout bill, extends many of the same provisions included in the original stimulus bill by increasing taxes and using questionable offsets. It increases taxes on American businesses, America's job creators, by \$9.8 billion over 10 years, and these tax increases will kill jobs,

reduce American competitiveness, discourage investment, and prevent economic recovery. This is a permanent tax increase on job creators in exchange for a temporary fix for the States.

A series of international tax changes in the bill could have far-reaching consequences on the competitiveness of worldwide American businesses. The National Association of Manufacturers states that an estimated 22 million people in the United States, more than 19 percent of the private-sector workforce, and 53 percent of all manufacturing employees are employed by companies with operations overseas.

Manufacturers feel strongly that imposing \$9.6 billion tax increases on these companies as proposed in the Senate Amendment to H.R. 1586 will jeopardize the jobs of American manufacturing employees and stifle our fragile economy.

The new spending in the bill is meant to give states money to deal with their current fiscal problems, rewarding states for years of excessive spending in their budgets. It is not the responsibility of the federal government to bail out the states when they have difficulty balancing their budgets—the federal government should balance its own budget instead.

The bill is not really “fully” paid for because it spends the entire \$26.1 billion in just two years while the “offsets” take place over ten years, relying on future Congresses to abide by the offsets—spending money today that we won’t “pay for” until years from now. Once again, this Congress kicks the can down the road.

This is a very detrimental tax increase. I urge my colleagues to oppose this legislation.

Mr. OBEY. I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Madam Speaker, this bill ignores a simple truth: Government cannot inject a single dollar into the economy that is not first taken out of the same economy. We see the jobs that are saved or created when the government puts the money back in. What we don’t see directly are the jobs lost or prevented when the government first takes that money out of the economy. Those lost jobs are seen in chronic unemployment rates and a stagnant job market, despite unprecedented government spending.

Nor is this necessary to save teaching jobs. A school board faced with the choice between a couple of good teachers and an overpaid bureaucrat is probably going to keep the teachers and fire the bureaucrat. But this bill says it doesn’t have to make that choice. Indeed, this actually prohibits school boards from doing anything that would reduce their spending below last year’s levels.

Madam Speaker, it is time to invoke the first law of holes: When you are in one, stop digging.

Mr. OBEY. Could I inquire how many speakers the gentleman has?

Mr. LEWIS of California. Madam Speaker, I have no additional speakers, and I yield back the balance of my time.

Mr. OBEY. Madam Speaker, I would simply say yes, this bill spends money. Yes, it saves money. It saves more than it spends to the tune of \$1.3 billion, according to CBO.

I yield back the balance of my time. The SPEAKER pro tempore. The Chair is now prepared to recognize members of the Committee on Energy and Commerce.

The gentleman from California (Mr. WAXMAN) and the gentleman from Texas (Mr. BARTON) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Madam Speaker, I yield myself 1 minute.

I rise in strong support of this bill for education, jobs and Medicaid assistance. This will provide critical relief for the States and local governments. This is a vote for jobs, for education, for health care.

The States and local governments are faced with a decrease in income or taxes as people have lost their jobs, and yet in the Medicaid area there is an increase for services, as some people have lost their insurance. This will help the States avoid the massive cuts in Medicaid eligibility payments and payments to providers.

The Federal Medicaid Assistance Program was adopted in February of 2009. It expires in December. This will extend that temporary FMAP program for an additional 6 months through June 30, 2011, when most State fiscal years end. There would be no change in the current formula for targeting additional fiscal relief at States with high unemployment rates.

I urge support for this legislation.

I reserve the balance of my time.

Mr. BARTON of Texas. Madam Speaker, I yield myself 3 minutes.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I am sorry, Madam Speaker, that we have to be here today to spend money that the taxpayers don’t have, that Congress can’t afford, for an economic stimulus program that doesn’t work.

The provision that is in the jurisdiction of the Energy and Commerce Committee is the Federal Medicaid Assistance Program, specifically called FMAP. This is a program to help low-income constituents in a cost-share between the State government and the Federal Government.

Spending on this program over the last 2 fiscal years has gone up almost 50 percent. The stimulus package that was enacted last year increased it an additional 6 percent, I believe, through December of this year. The bill before us would extend that extension until June of next year.

□ 1410

There is no emergency in this program. There is no pending financial catastrophe in Medicaid. There is a long-term unfunded mandate, obviously, but in the short term this is not something that absolutely has to be done.

The \$16 billion that would be spent on this program ostensibly is to be spent for Medicaid, low-income health care assistance, but if you read the fine print, it doesn’t have to. As we all know, Madam Speaker, money is fungible, and under this particular bill, while the nameplate says for Medicaid, the truth is the money can be spent for whatever purpose the State wants to spend it for. I don’t think that’s appropriate.

We on the Republican side were prepared to offer an amendment in the Rules Committee last evening that would have at least said, if you’re going to say the money is for Medicaid, it actually has to be spent for Medicaid. We were told that no amendments would be made in order and that they were put in what’s called a martial law lock-down rule. So we did not offer that amendment, but it is an amendment that should have been offered and should be accepted.

What this bill really is about is, in my opinion, some sort of a panic attack on the Democratic leadership side, that they see the election coming up and they need to get more money to their special constituencies, and this is a bill that would do that. So we’re going to spend \$180 million a day. We’re going to be paying taxes on this money for the next 10 years. This \$180 million a day is only for 6 months. It’s not going to reduce the unemployment rate, which right now is a little under 10 percent. It’s going to be used, purely and simply, for some of those States to have more money that might help constituencies that might help our friends on the majority side of the aisle. As I said earlier, the money that is in the jurisdiction of the committee that I’m on, Energy and Commerce, doesn’t have to be spent for Medicaid.

So I would urge a “no” vote, Madam Speaker.

I reserve the balance of my time.

Mr. WAXMAN. Madam Speaker, I am pleased to yield such time as he may consume to the chairman of the Health Subcommittee of the Energy and Commerce Committee, the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. I want to thank my chairman.

I want to differ strongly with the gentleman from Texas, as much as I admire him as our ranking member. I would remind the gentleman that this bill is fully paid for by eliminating tax loopholes that send jobs overseas. The fact of the matter is that many States have already budgeted for these Federal dollars and simply don’t have their own State dollars to make up for it if they lose the Federal dollars.

Traditionally, in the past, this was a bipartisan issue. Republicans supported

it. And I would say that many Republican governors, including my own in my State of New Jersey, have asked for this money because they know that if they don't get it they're going to have a huge shortfall in their budget. I don't see this at all as a partisan issue, and I really don't understand why our ranking member continues to look at it that way.

I think it's crucial that Congress extend extra help to the States to pay for their citizens who are on Medicaid. The Medicaid rolls have expanded considerably for States because of unemployment. Many people have lost their jobs and a lot more people are on Medicaid, and States with high unemployment will continue to receive additional percentage points. This legislation simply allows States to avert Medicaid cuts at a time when the economic recession requires a strong safety net.

It's also the most efficient way to help States avoid further layoffs and service cuts that would otherwise slow the economic recovery. It is really bipartisan. Many Republican governors have asked for it, and this is something that in the past has always been done on a bipartisan basis. I urge support.

Mr. BARTON of Texas. I yield 1 minute to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. I thank my colleague from Texas.

Madam Speaker, the Obama stimulus plan was a waste of taxpayer dollars, and I'm proud that the elected officials in the Texas Statehouse had the good sense to keep those funds in reserve. If a Member of this body has a problem with the way the rightfully elected representatives of the people of Texas choose to use their money, then I have some advice for him or her: Go to Austin.

Madam Speaker, the eyes of Texas will be watching her congressional delegation as they cast their votes. You will either be for Texas or against her. You will either stand for our State and national constitutions or ignore them. This is exactly the sort of arrogance, pettiness, and political chicanery that the people of America are tired of. I know that Texans are.

I have great hope that November will bring a much-needed change in direction in Washington.

I urge my colleagues to vote no-no-no against this bill.

Mr. WAXMAN. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Madam Speaker, it seems like we have a lot of Texas voices here today, and I want to share mine. I thank my chair of our Energy and Commerce Committee for yielding to me.

I support, obviously, the full passage of the bill, but, Madam Speaker, I rise in support of the students and teachers who will benefit from passage of the Education, Jobs, and Medicaid Assistance Act.

Madam Speaker, I would like to place in the RECORD two letters from

education groups supporting this legislation.

At a time when local and State governments from coast to coast are cutting funding for basic services such as education, public safety, and transportation, this legislation will bring much-needed assistance to keep 161,000 educational professionals working now; 14,500 educational jobs in Texas will be saved.

I want to speak to the important provision my Texas colleagues on this side of the aisle worked hard to get into this bill. Last year, the governor of Texas took \$3.25 billion in Federal stabilization funds specifically designated for educational purposes and used it to build up the State's rainy day fund, which may sound good, but it was nothing more than the governor taking much-needed resources from the students and educators of Texas.

In order to make sure the governor of Texas does not repeat history and misuse the Federal education funds, my colleagues and I pushed to have language added to the bill that will require the governor provide assurance to the Secretary of Education that the funds allocated to Texas be used to supplement and not supplant State K-12 education funding through fiscal year 2013. The governor and his political allies have stated in recent days that it cannot make such assurances because of its being unconstitutional. Well, our governor obviously is not a constitutional lawyer, so let the record show that the governor had made the same assurance before, including in the State's Fiscal Stabilization Program application last year.

This language is supported by the Texas Association of School Boards as well as Statewide groups representing teachers, principals, and school administrators across the State and ensures that these funds get to the classrooms and will hopefully delay property tax increases.

I urge my colleagues to vote in favor of this important legislation.

#### TEXAS DEMOCRATIC DELEGATION STATEMENT ON PROTECTION FOR SCHOOLCHILDREN

Last year, we voted for the Economic Recovery Act, which included \$3.25 billion to support local Texas school districts. But instead of using these funds as Congress intended, State Republican Leadership used them to replace state education funding, thereby denying an increase in support for our local school districts.

We want to ensure that any new emergency funds Congress provides for education actually help our Texas schools. We have requested additional protections be incorporated into any Supplemental Appropriations legislation specifically for Texas schoolchildren to ensure local districts actually receive this federal help. These protections will ensure that the \$820 million in new emergency federal funds for education go to preserve teacher jobs throughout the State and meet other local education needs.

These funds would go to local schools as long as the Governor certifies that (1) federal funds are not used merely to replace state education support, and (2) education funding will not be cut proportionally more than any other item in the upcoming Texas General

Appropriations Act. This prevents any further shell games with federal education dollars at the expense of local school districts. This approach has been endorsed by Texas statewide education organizations representing teachers, principals, school boards, school administrators, and nearly 40 superintendents.

A solid education is the foundation on which our economy and our democracy rest. Our support for our local school districts reflects a twofold understanding: First, local districts know best what the needs of their students, teachers, and administrators are. Second, especially in times of a difficult economy, we need to invest in our schools.

Our language helps ensure local school districts in Texas have the support they need.

Charles A. Gonzalez; Sheila Jackson Lee; Silvestre Reyes; Henry Cuellar; Eddie Bernice Johnson; Ciro D. Rodriguez; Lloyd Doggett; Solomon P. Ortiz; Rubén Hinojosa; Gene Green; Chet Edwards; Al Green.

JUNE 22, 2010.

Hon. ARNE DUNCAN,  
*Secretary, Department of Education, Washington, DC.*

Hon. STENY HOYER,  
*Majority Leader, House of Representatives, Washington, DC.*

Hon. NANCY PELOSI,  
*Speaker, House of Representatives, Washington, DC.*

Hon. DAVID OBEY,  
*Chairman, Committee on Appropriations, House of Representatives, Washington, DC.*

DEAR SECRETARY DUNCAN, SPEAKER PELOSI, MAJORITY LEADER HOYER, AND CHAIRMAN OBEY: Last year, before the education Stabilization funds were provided to Texas, many of us joined together to urge you to ensure that these funds would increase the funding for Texas schools instead of merely replacing state education funding. Unfortunately, as the legislation was written the State was able to reduce its own obligations to fiscally support public education and supplant those funds with \$3.25 billion of federal stabilization monies. As the Administration considers additional emergency education funding to save teachers' jobs, we urge you to prevent history from repeating itself and ensure that any funds Texas receives go to help Texas schools, teachers, and students.

We support the legislative language that Members of the Texas Delegation have proposed that would guarantee these emergency federal education funds are actually spent on education in Texas. As drafted, this Texas fix has no impact on any other state and would ensure that the law is implemented as Congress and the Administration intended: to save and create teacher jobs. Specifically, this language includes four provisions that we would like to see included in any emergency education jobs bill: Limits the additional requirements to states with Texas-sized rainy day funds; requires the emergency education jobs funds be distributed to local education agencies within the state according to the Title I-A formula; prohibits supplanting of state Title I-type funds with these new emergency federal funds for education jobs; and requires maintenance of state primary and secondary education support in FY11, FY12, and FY13 at the current percentage of revenue provided for FY11.

This language does not prohibit cuts to education in Texas's budget, but it does prevent the state from singling out education for more cuts than other budget items due to the influx of funds from the emergency federal monies for education jobs. With Texas facing a serious budget shortfall in the coming biennial budget, the last thing we need to allow is these funds to be diverted to fill



non-education gaps in the budget. We hope that you will ensure that Texas school districts do not fall through the legislative cracks this time around.

The Texas superintendents and education organizations listed below are in agreement with this letter and have given permission to add their names in support.

#### TEXAS SUPERINTENDENTS

#### TOTAL OF 33 FROM ACROSS THE STATE OF TEXAS

Wanda Bamberg, Aldine ISD;  
Meria Carstarphen, Austin ISD;  
Jamey Harrison, Bridge City ISD;  
Brett Springston, Brownsville ISD;  
Reece Blincoe, Brownwood ISD;  
Jeff Turner, Coppell ISD;  
Scott Elliff, Corpus Christi ISD;  
David Anthony, Cypress-Fairbanks ISD;  
Michael Hinojosa, Dallas ISD;  
Leland Williams, Dickinson ISD;  
Bob Wells, Edna ISD;  
Lorenzo García, El Paso ISD;  
Melody Johnson, Fort Worth ISD;  
Paul Clore, Gregory-Portland ISD;  
Jeremy Lyon, Hays CISD;  
Terry Grier, Houston ISD;  
A. Marcus Nelson, Laredo ISD;  
Michelle Carroll Smith, Lytle ISD;  
James Ponce, McAllen ISD;  
Richard A. Middleton, North East ISD;  
John M. Folks, Northside ISD;  
Sharron L. Doughty, Port Aransas ISD;  
Alfonso Obregon, Robstown ISD;  
Robert J. Durón, San Antonio ISD;  
Mike Quatrini, San Elizario ISD;  
Patty Shafer, San Marcos CISD;  
Greg Gibson, Schertz-Cibolo-Universal City ISD;  
Rock McNulty, Smithville ISD;  
Lloyd Verstuyft, Southwest ISD;  
Robert Santos, United ISD;  
Richard Rivera, Weslaco ISD;  
H. John Fuller, Wylie ISD;  
Michael Zolkoski, Ysleta ISD.

#### TEXAS EDUCATION ORGANIZATIONS

#### TEACHERS, PRINCIPALS, SCHOOL BOARDS, AND ADMINISTRATORS

Sandi Borden, Executive Director, Texas Elementary Principals and Supervisors Association;  
Linda Bridges, President, Texas AFT;  
James B. Crow, Executive Director, Texas Association of School Boards;  
Rita Haecker, President, Texas State Teachers Association;  
Doug Rogers, Executive Director, Association for Texas Professional Educators;  
Johnny L. Veselka, Executive Director, Texas Association of School Administrators;  
Brad Willingham, President, Texas Classroom Classroom Teachers Association.

Mr. BARTON of Texas. Madam Speaker, I yield 1 minute to a member of the committee from the great Hoosier State of Indiana (Mr. BUYER).

Mr. BUYER. I am leaving this body here in the next 6 months. Now, one side is saying this is all about protecting jobs, about protecting teachers, firefighters, police officers. That's great spin. I'm going home. This is about protecting the ignominious conduct and behavior of legislators that didn't do their job and they're too frightened right now, 84 days before an election. They don't want to increase taxes, they don't want to cut spending, and they don't want to monetize the debt.

So what do they do? They turn to the Federal Government and have us mone-

tize the debt, issue bonds, have China do it so they don't have to make tough judgments.

This is the bailout. This is another bailout. Folks, we cannot continue to do this. We talk about what type of Nation we want to pass on to our children. Let's not do this. I am distressed about it.

When we passed the SCHIP as a body and came together, we said that we would do so and make eligibility at 133 percent of poverty. Then what happened? A lot of these States thought that the good economic times would never end, and so they mushroomed the eligibility.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BARTON of Texas. I yield the gentleman an additional 30 seconds.

□ 1420

Mr. BUYER. Two States are the worst offenders: New York and New Jersey. Instead of 133 percent, they are at 400 and 350 percent respectively, eligibility to poverty.

Oh, no, no; they don't want to make the tough decisions. Guess what; not only do the State legislators not want to make tough decisions, this Congress also doesn't want to make tough decisions. That is why we are facing almost a \$1.5 trillion annual budget deficit.

America, please, please, wake up, and remember in November.

Mr. WAXMAN. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Madam Speaker, I rise today in strong support of increasing Medicaid funding for States that is contained in this legislation. I have been leading the effort on this issue, and I am determined to see it through.

During this economic crisis, our States have suffered, which means our citizens have suffered. States are facing severe budget shortfalls, and without Federal help will have to take extreme action. Who would this hurt? It would hurt our most vulnerable: our children, our elders, our sick, and our frail. People who rely on Medicaid benefits would see them slashed. States would be forced to make cuts where we can least afford it.

Not only does Medicaid funding protect citizens, it also promotes them. The Congressional Budget Office found that increased Medicaid assistance creates jobs and increases demand in the economy.

The recovery is underway, but it is slow. Families in Wisconsin and across the Nation are struggling to make ends meet and find good jobs. We in the House have time and again passed legislation to try to address this through additional Medicaid funding and dedicated dollars for teachers in our schools. Finally, today we have the opportunity to send this bill to the President.

In Wisconsin alone, passing this measure will prevent between 2,000 and

3,000 teachers from being laid off, and it will prevent \$650 million in Medicaid cuts.

I have heard from students, doctors, and State employees who have known for months what Congress was too slow in realizing, these cuts would be catastrophic and we must prevent them.

I want to thank Chairman WAXMAN for his steadfast commitment to creating jobs and supporting American families. I urge my colleagues to join me in supporting this legislation.

Mr. BARTON of Texas. I yield 2 minutes to the distinguished Republican Conference chairman from the great State of Indiana, Mr. MIKE PENCE.

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. I thank the ranking member for yielding.

The American people are hurting. In the city and on the farm, families are struggling in the midst of the worst recession in 25 years.

Coming home to me especially today, Madam Speaker, because at this very hour more than a thousand Hoosiers are gathered at a job fair in my district. Some 65 companies have come together with a few cherished openings. My duty is here. But to be honest with you, I would rather be there, standing with those courageous Hoosiers who have come out, put on their Sunday best, and are reaching for a better future.

Congress ought to be taking action; but not this, not more of the same. Here we go again. Another jobs bill, another bailout. Washington, DC now after a year and a half of failed economic policies, a stimulus and borrowing and spending and bailouts and takeovers, says we need to do another jobs bill, so let's do another bailout: \$26 billion to States, putting off the hard decisions that States ought to be making, and paying for it with more than \$9 billion in tax increases.

You know, the American people are fed up with more taxes, more bailouts, more wasteful stimulus; yet here we go again. More spending, more bailouts and more taxes won't mean more jobs. Millions of Americans are asking: Where will it all end?

When will this Congress start to come together to make the hard choices to put our fiscal house in order and to preserve and promote the kind of tax policies that will release the trapped, inherent power of the American economy.

It is my hope and my prayer for those families gathered in Muncie at my job fair today that we will not have to wait until after November. But if we do, then we will. And the American people will remember November.

Mr. WAXMAN. Madam Speaker, let the American people know that we are trying to help kids get educated, and make sure that those who are vulnerable get health care; while the Republicans are urging that we continue the tax cuts for people making more than



\$300,000 a year. That to me is a distortion of priorities.

I am pleased now to yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Madam Speaker, I want to take up where the chairman left off. This is \$26 billion that is paid for, and my Republican friends on the other side of the aisle don't want to do that, even though it is paid for. It will bring back teachers and it will bring back first responders. And instead, they want a \$700 billion tax break for the rich that is not paid for. So that doesn't make any sense to me at all.

Madam Speaker, 160,000 education jobs could be lost if we do nothing, including 8,000 in my home State of New York. Congress can't sit by and let these jobs disappear and hurt our children. This assistance is critical to States as they struggle through the recession. This includes a \$10 billion education jobs fund that will save 140,000 teachers. It is not a payoff to the teachers union, it is a payoff to our children and for the future of this country.

This will prevent deep cuts in education, health care, and social services. So, Madam Speaker, we should not play politics with American jobs. I continue to urge support for this bill to ensure that Americans are working and our economy is well onto the road to recovery.

Mr. BARTON of Texas. Madam Speaker, I yield 30 seconds to the starting third baseman on the congressional Republican baseball team, the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Madam Speaker, those who advocate for this legislation are forgetting one very, very important thing: we are broke.

Mr. BARTON of Texas. Madam Speaker, I yield 1 minute to the distinguished member of the committee from the great Pelican State of Louisiana, Mr. STEVE SCALISE.

Mr. SCALISE. Madam Speaker, I want to thank the gentleman from Texas for yielding.

As American families, as Louisiana families are asking where are the jobs, and they are looking to Congress for those answers, all that they get from this tone-deaf liberal group that is running Congress today is more spending, more taxes, and just continuing with this bailout mentality. Americans are saying enough is enough.

In fact, if we want to get the economy back on track, what we need to do is go back to those principles that have been proven to work every time, and that is to cut taxes for small businesses so that the businesses that are creating jobs can go out and do what they need to do. In fact, businesses today are scared to hire anybody because of the policies coming out of Washington. So you cut taxes and you cut spending. Instead, all we see is more spending, more bailouts, and more tax increases on the backs of businesses that are going to run more

jobs out of this country. It is the wrong answer. We should be here focusing on creating jobs, not running more off.

Mr. WAXMAN. I continue to reserve my time.

Mr. BARTON of Texas. Madam Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for 1 minute.

Mr. BARTON of Texas. Madam Speaker, what we have here is a failure to communicate. My friends on the Democratic side are talking about things to help the economy. My friends and myself on the Republican side are pointing out that this is money that we don't have. There is no national emergency. The items that are being funded are items that historically have been funded at the State level with the exception of Medicaid, which is a State-Federal expenditure. And in that the program, the money doesn't absolutely have to be spent for low income health care assistance. If you look at the way the money is actually allocated, one State, the great State of New York, the Empire States, gets over 12.5, 13 percent of the funds. In fact, if you exclude California, New York gets more money than every State west of the Mississippi. As has been pointed out by Mr. BUYER of Indiana, New York has a Medicaid reimbursement rate at 350 percent of poverty, which is pushing about \$80,000 for a family of four.

This is money we don't have being spent on programs that are not in dire emergency at a time when the unemployment rate is 10 percent. Please vote no on this bill.

□ 1430

Mr. WAXMAN. Madam Speaker, this is assistance to the States for Medicaid. No State has 300 percent of poverty for Medicaid. That's just not the way the States run it. We're talking about the poorest of the poor to get Medicaid assistance. There may be additional people who can get it for children under the CHIP program but not under Medicaid. The States can't afford Medicaid, and we're going to help them by directing Federal dollars so that those very poor people can get health care, and this legislation assists the States in paying for teachers and first responders.

What can be more important? It isn't one State versus another. All throughout this country we've got to make sure that we have an educated population and a chance for health care for those who need it who cannot afford it. That's why this bill is important. It will also provide jobs that will otherwise be lost if the States do not receive these funds. Put that into perspective of the Republican call for tax cuts to be continued without paying for them for people that make over \$300,000 a year.

Who deserves our help? Let's help the vulnerable. Let's help the next generation. Let's provide the funds that are in this legislation for health care, for

first responders, for teachers. I urge support for the legislation.

I yield back the balance of my time. The SPEAKER pro tempore. The Chair is now prepared to recognize members from the Committee on Ways and Means.

The gentleman from Michigan (Mr. LEVIN) and the gentleman from Michigan (Mr. CAMP) each will control 10 minutes.

The Chair recognizes the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. I yield myself 2 minutes.

The minority comes here and talks about wishing to be back at a jobs fair for those who are unemployed and looking for work, having voted against continuing unemployment compensation for those out of work and looking for it. The minority comes here talking about help for small business, having voted against Democratic bills to help small business.

On this bill this is not an increase in taxes on job creation. What it is is closing a tax loophole used by some to escape taxes and thereby encouraging them to ship jobs overseas, purely and simply.

This is a fact: U.S. companies that operate overseas owe taxes when they return that income to the U.S. They get a foreign tax credit for the taxes they paid overseas. What some companies are doing is using those tax credits not against income brought back home but against income obtained elsewhere. This is a tax loophole purely and simply, and closing a tax loophole used by a few is fair taxation policy for everybody else. That's what the people of this country demand: Close tax loopholes that help shift jobs overseas. We're doing just that in this bill, as we have done several other times in the House of Representatives.

Madam Speaker, I and Ways and Means Committee Ranking Member CAMP have asked the nonpartisan Joint Committee on Taxation to make available to the public a technical explanation of the revenue provisions included in the Senate amendment to the House amendment to the Senate amendment to H.R. 1586, the "Education Jobs and Medicaid Assistance Act of 2010," considered in the House of Representatives today. This technical explanation provides information on the Committee's understanding and legislative intent behind the legislation. It is available on the Joint Committee's website at [WWW.JCT.GOV](http://WWW.JCT.GOV) and is listed under document number JCX-46-10.

I reserve the balance of my time.

Mr. CAMP. Madam Speaker, I yield myself such time as I may consume.

(Mr. CAMP asked and was given permission to revise and extend his remarks.)

Mr. CAMP. Madam Speaker, last Friday we learned the unemployment rate is still at 9½ percent, and it would be much higher if the official calculations also looked at the fast-growing number of Americans who have become so discouraged that they have given up looking for work. So while Congress should be here trying to find ways to get

Americans back to work, we're here instead to complete action on another extension of stimulus that will also do nothing to reduce the unemployment rate in this country. In fact, this bill and the tax increases in it will hurt job creation.

According to the methodology of Dr. Christina Romer, the President's chief economic adviser, the tax increases in this bill alone will destroy over 140,000 American jobs. In an open letter to Congress this week, the National Association of Manufacturers warned that "imposing \$9.6 billion in tax increases on these companies will jeopardize the jobs of American manufacturing employees and stifle our fragile economy." Similarly, the U.S. Chamber of Commerce warned they would "impose draconian tax increases on American worldwide companies that would hinder job creation, decrease the competitiveness of American businesses, and deter economic growth."

These tax increases are a mistake, and, as I noted during the debate 2 weeks ago, most of these have never been the subject of any committee hearing or markup. It is possible that, upon review, some of these provisions might make sense if packaged with other changes to address the fact that our corporate tax rate is soon to be the highest among all industrialized nations. Our international tax system is deeply flawed, and our tax code is increasingly putting our companies and their employees at a tremendous competitive disadvantage.

But we never got the opportunity to hear from the American employers or to offer any amendments. That's a truly disappointing breakdown of the committee system, which is supposed to ensure that policies are carefully vetted and reviewed before passage.

I also want to mention the phantom tax increases that aren't in this bill but we will soon see. The Speaker has already indicated that she opposes two of the spending offsets included in this bill. One relates to food stamps; the other is a cut in funding for a renewable energy spending program. Together, those items total \$13.4 billion, more than half the total offsets in the bill. So next month when the House considers some other legislation, don't be surprised to see another \$13 billion in higher taxes to prevent those spending cuts.

I reserve the balance of my time.

Mr. LEVIN. Madam Speaker, I yield 2 minutes to the very distinguished gentleman from Texas (Mr. DOGGETT), who has been a champion on the issue of tax loopholes, a member of the Ways and Means Committee.

Mr. DOGGETT. Today we close international tax loopholes and open more educational opportunities.

Last year in Texas, Governor Perry and his cohorts misdirected \$3.2 billion in Federal aid to education simply to replace State education commitments, leaving our schools not one dime better off than if we had never offered them

that Federal aid to education in the first place. Given this very unfortunate history for our schoolchildren and the many unique educational challenges that Texas faces, we have good reason to include in this legislation Texas-specific safeguards to prevent more such shenanigans with a formula that assures that this year Federal education aid will get directly to our local schools. Our approach enjoys the support of school trustees, of superintendents, of principals, of teachers.

We have been listening across Texas to our parents at this time of excitement as so many young people are going back to school, some for the first time, and we are offering those families and those local schools the important support they need for local education, paying for every dime of it, and we are supporting those local education decisions by local school trustees to achieve quality education free of interference from the State. We are demanding accountability from the State of Texas.

For some reason accountability seems like a good concept for everyone except some Republican leaders and some international corporate tax avoiders. I want to be sure that there's a level playing field for taxpayers so that the small business down the street that could face a property tax increase if we don't have adequate support for education, that that business doesn't continue to have to pay a much higher rate than some international corporate tax group that has all the fancy CPAs to avoid paying its fair share.

□ 1440

Mr. CAMP. At this time, I yield 1 minute to the distinguished Member from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Madam Speaker, I think that it is important for us to realize what is happening here today, and I do oppose the legislation that the majority is bringing forward today.

Today, we are being asked to raise taxes for 10 years in order to pay for Medicaid for 6 months. Now, think about that. Only here in Washington would an action like that seem to make sense or even be thought to be sustainable: 10 years to pay for 6 months.

Now, this is why the people across this Nation oppose this type action, and I think if my friends were home listening instead of here in D.C. spending some more that what they would hear from people is they are sick and tired. They have really gotten their fill of continuing to tax, continuing to spend, robbing Peter to pay Paul, and going through this process of kicking the can down the road but not addressing the problems.

The spending is out of control, the American people are overtaxed, this government is overspent, and it is time that we demand accountability.

Mr. LEVIN. It is now my true pleasure to yield 1 minute to our very distinguished majority leader, the col-

league from the great State of Maryland (Mr. HOYER).

Mr. HOYER. I thank my friend for yielding.

The hour is late and Members have come back, properly so, to address an issue that we addressed months ago. The Senate sent it to us; we were gone. We thought it our responsibility to ask Members to come back because if we hadn't come back, if we didn't pass this bill, what could happen? 160,000 teachers would be at risk of being laid off and probably would be laid off. What would that mean? It would mean larger class sizes for teachers to deal with, children not receiving the kind of education that they need to be competitive in the global marketplace. What might have also happened? Some 160,000 police and fire personnel, emergency response teams, may have had to be laid off.

That's why we came back. That's why we believe this is so important. And how we paid for this, because we do not add a nickel to the national debt, notwithstanding the previous speaker, we paid for this because we believe if we're going to invest in our future, we also are going to pay for it, not ask our grandchildren to pay for it. Now, that's a concept that was jettisoned under Republican leadership but we've reestablished. So we pay for this.

One of the ways we pay for it is to ask people is, look, if you're going to send jobs overseas we're not going to give you a tax break. I know there are some that apparently are not for that, and they're going to vote against this bill, but my view is what we're doing is making sure that our children have the proper education they need, making sure that our communities are safe, and yes, making sure that we try to keep every job in America so that we can continue to make things in America, so people can make it in America. That's what this bill is all about.

The hour is late. I think everyone knows the issue, and I ask my colleagues, vote for this critical piece of legislation. Keep our teachers, our police, our fire personnel on the job. That's why the Senate passed this bill with over 60 percent majority in a bipartisan vote. Let's follow suit. Pass this bill. Make America better.

Let's consider what would happen if Republicans had their way and this bill failed. Some 160,000 teachers' jobs would be eliminated.

Some 160,000 jobs for police officers, firefighters, nurses, and private-sector employees would go, as well—a total of 320,000 lost jobs. And the impact would extend far beyond the laid-off employees.

Our children's educations would be short-changed—bigger class sizes, programs eliminated, and summer school cancelled in communities across our country. In our neighborhoods, we'd find fewer cops patrolling the streets and longer waits before first responders arrive at the scene of an emergency.

More vulnerable Americans—already struggling through the greatest economic crisis of our lifetimes—would go without health care.

And don't think that the economic impact would be limited to the 320,000 laid-off workers alone.

It would mean families struggling to pay the mortgage or their student loans; it would mean local businesses losing customers; it would mean businesses forced into new layoffs of their own as a result.

It would mean, in short, a step closer to a double-dip recession.

I understand that States are obligated to cut spending when times are hard; but the fact that States' revenues are largely tied to sources that dramatically shrink in bad times, such as property and sales taxes, creates a vicious cycle that helps prolong recessions.

When States cut spending, the results include layoffs, less consumer demand, and a struggling private sector—making hard times hard for longer. And if Republicans had succeeded in blocking the Recovery Act and other measures to help pull our economy out of recession, State budgets would be even worse off today.

Preventing another vicious cycle of budget cuts and layoffs is exactly why it is both right and smart for the Federal Government to step in and lend a hand today.

This bill will do so—and it will prevent the dangerous chain-reaction of layoffs and drastically cut services for families that I've described. And this bill will do so in a fiscally responsible way: it includes savings for all of the dollars it spends, which means that it adds nothing to the deficit.

In fact, much of this bill's savings can help keep jobs in America: by passing this bill, we can end the tax loopholes for corporations that send American jobs overseas. And that's another way this legislation strengthens our economy and our recovery.

I don't understand how Republicans can add this bill to their year-and-a-half record of obstructing our recovery.

I don't understand how anyone, Democrat or Republican, can be against keeping teachers in the classroom, keeping cops on the beat, and keeping firefighters protecting our homes.

But some who oppose this bill cynically call teachers, cops, firefighters, and nurses "special interests."

That's how they will justify their vote against this bill—but with the very same vote, Mr. Speaker, they will vote to protect corporations that exploit the tax code to outsource American jobs.

How first responders are "special interests" and those corporations are not, is beyond me—but I'm eager to hear my Republican friends explain it.

I urge my colleagues to vote for this fiscally responsible bill, which the communities we represent desperately need.

Mr. CAMP. At this time, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Madam Speaker, Congress adjourned without doing anything useful over the last year and a half to get this economy turned around. America knows it. Sadly, this bill isn't going to change that fact.

My colleagues know that they've bankrupted the States with

ObamaCare, and they know full well this won't be the last time the Federal Government borrows money to bail out the States.

As for the education jobs funding, the money provided in the stimulus, the \$54 billion as a matter of fact, provided in the stimulus was supposed to do the trick, but like the stimulus as a whole it just didn't work, did it?

This \$10 billion is a transparent handout to the teachers union, who not only continue to insist on greater pay but actually got their Democrat buddies to put it in the bill. If States take the money, their hands are actually tied on making any tough budget decision choices, including pay. As a result, the States will be back here again, and very soon, asking for more Federal bailouts, which the current majority will probably be very happy to give to them.

My Democrat colleagues are incredibly generous when it comes to spending OPM—that's other people's money. The only problem is that the other people, each and every taxpayer in our great country, already owe \$130,000 apiece in Federal debt. That's why the American people are fed up.

Finally, any claim that the bill is "paid for" is utterly nonsense. My colleagues on the other side of the aisle know that. This bill before us represents another \$14 billion in sham accounting gimmicks that the majority cannot resist using. Never mind that you've already used the money, the tax revenues, several times to pay for three different spending bills.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CAMP. I yield the gentlewoman an additional 30 seconds.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman from Michigan.

We all know that the \$14 billion in food stamp cuts will never actually really take place. So it is really a sham isn't it, folks? Just like the doc fix and everything else, you will kick the can down the road and far enough, so far, in fact, that it won't have to be counted in today's budget.

Madam Speaker, the bailouts must end. The borrowing must end. The gimmicks must end. If we are ever again to have a competitive country, the relentless tax increases on job creators also must end.

I urge a vote against this.

Mr. LEVIN. I now yield 2 minutes to the gentlelady from Ohio (Ms. KILROY).

Ms. KILROY. I thank the gentleman.

Madam Speaker, across America, summer is coming to an end and parents are thinking about their children's return to school. These parents have big hopes and dreams for their children, and also worries about the future. They want their children to succeed in school. They want them to be able to go to college, to get a good job in a competitive global economy, and they know they need a dedicated teacher in that classroom guiding their children's learning.

But school boards have been making cuts and laying off teachers. Schools in Ohio rely on property tax, and because of Wall Street's reckless gambles with predatory lending and resulting record foreclosures, schools have seen their revenues decline. Schools also rely on State assistance, and Ohio, like many States, have real budget challenges. This bill is essential to keep teachers in the classroom. In Ohio, that means over 5,500 teachers.

It will provide the necessary funding to the States for Medicaid assistance as well, responding to urgent requests from Republican and Democratic Governors. In order to pay for this bill, we are closing tax loopholes that have been abused, that have sent jobs overseas. Not only will this help pay to keep those teachers in the classroom, it will end a job drain and help us to make things here in America.

So why are my colleagues across the aisle so opposed? They don't seem to understand that investing in our Nation's future means investing in our Nation's schools. They call our children special interests. Well, our children don't have big K Street lobbyists like Wall Street does. They need us to stand up for them. But those who enjoy those tax loopholes are the special interests with those lobbyists. Broad opponents of this bill are listening to them, but that's the wrong way to go. That's the way of the past.

It's time to end business as usual and politics as usual and stand up for America's workers and stand up for America, to keep jobs here, and it's time to stand for America's children and America's teachers and America's schools. It's time to keep our communities safe, to keep firefighters and police on the streets.

□ 1450

Mr. CAMP. I am prepared to reserve or prepared to close if the gentleman has no further speakers.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) has the right to close.

Mr. CAMP. I yield myself such time as I may consume.

I have before me letters from the Chamber of Commerce, the National Association of Manufacturers, the Business Roundtable, as well as PACE, Promote America's Competitive Edge.

The U.S. Chamber of Commerce is the world's largest business federation, representing more than 3 million business organizations of every size. They strongly oppose this legislation because they say it would place "draconian tax increases on American worldwide companies that would hinder job creation, decrease the competitiveness of American businesses, and deter economic growth" and the jobs that come from that.

Likewise, the National Association of Manufacturers, the Nation's largest industrial trade association representing small and large manufacturers in every industrial sector in all 50 States, they

also oppose this legislation. "An estimated 22 million workers in the United States, more than 19 percent of the private sector workforce and 53 percent of all manufacturing employees, are employed by companies with operations overseas." They oppose these tax increases because, again, it will "jeopardize the jobs of American manufacturing employees and stifle our fragile economy."

Likewise, the Business Roundtable, which, again, is an association that represents more than 12 million employees, has also sent a letter opposing this legislation because they say that this legislation will, again, only make matters worse, make it more difficult for U.S. companies to compete in the world economy and then actually puts U.S. jobs at stake because of that.

Again, PACE, which represents more than 63 million American jobs that depend on the competitiveness of American employers worldwide, said, "At a time when other countries are taking steps to attract business, this legislation sends exactly the opposite message, with the effect of discouraging business investment and job creation in the United States."

I think it's actually unfortunate that, again, here on the floor I am having to submit these letters here, when actually the appropriate place would be in the Committee on Ways and Means. But, unfortunately, the Committee on Ways and Means has never had a hearing on these provisions, never had a markup on this legislation. We have not had a process that has been open to employers to come forward before the committee and be heard on the record so that we might be able to adjust this or put this in context.

As I said, we need broad-based international tax reform in the U.S. This piecemeal approach doesn't work, hurts our competitiveness.

Again, I think if we could have had a system where there was actually a committee hearing or a markup, that on review you might be able to improve upon this or find a way to actually address the serious issue that pretty soon our corporate tax rate will be the highest among all the industrialized nations, and we could actually put on the record the deep flaws in our international tax system and the deep flaws in our Tax Code.

Instead, what we are doing today is rushing to the floor again, without transparency, without openness, without hearing—certainly no opportunity for American employers to come forward and be heard on this issue. We are putting them at a tremendous competitive disadvantage at a time when they need to be competing around the world for jobs.

With that, I urge opposition to this legislation.

BUSINESS ROUNDTABLE,  
Washington, DC, August 9, 2010.

DEAR MEMBER OF CONGRESS: We write today to express our strong opposition to inclusion of international tax revenue raisers

in H.R. 1586, as approved last week by the Senate.

The measure would raise nearly \$10 billion in new taxes on worldwide American companies through fundamental changes in U.S. tax law, despite the fact that U.S. tax rules already put American companies at a competitive disadvantage.

Keeping American companies and workers competitive should be the number one goal of U.S. tax policy, yet changes in the tax systems of our major trading partners now place the United States at a decided tax disadvantage—which runs a high risk of severely undermining U.S. economic growth and job creation.

The United States already has the second highest tax rate among developed countries and an international tax structure that is a relic of an era in which U.S. companies faced little competition from foreign-headquartered corporations as they competed around the world. The current U.S. system is inconsistent with the free flow of trade and investment, and it inhibits use of foreign earnings to invest in the U.S. economy. The provisions included in the House legislation to be considered today will only make matters worse.

We urge the House to remove the counterproductive international tax provisions now included in H.R. 1586, and that any future consideration of U.S. tax policy be done only in the context of comprehensive tax reform designed to improve the competitiveness of U.S. companies in the world economy. U.S. jobs are at stake.

Business Roundtable is an association of chief executive officers of leading U.S. companies with over \$6 trillion in annual revenues and more than 12 million employees. Our members share your goal of restoring the U.S. economy to strong economic growth and job creation.

Sincerely,

LARRY D. BURTON.

NATIONAL ASSOCIATION OF  
MANUFACTURERS,  
Washington, DC, August 9, 2010.

House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVES: The National Association of Manufacturers (NAM), the Nation's largest industrial trade association representing small and large manufacturers in every industrial sector and in all 50 states, urges you to oppose the Senate Amendment to H.R. 1586, the Education Jobs and Medicaid Assistance Act.

While the NAM has taken no position on the spending provisions in the legislation, we remain adamantly opposed to using proposed tax increases on American worldwide companies to fund unrelated spending initiatives.

An estimated 22 million people in the United States—more than 19 percent of the private sector workforce and 53 percent of all manufacturing employees—are employed by companies with operations overseas. Manufacturers feel strongly that imposing \$9.6 billion in tax increases on these companies as proposed in the Senate Amendment to H.R. 1586 will jeopardize the jobs of American manufacturing employees and stifle our fragile economy.

Some of the proposed tax increases, which are mischaracterized as closing tax loopholes, actually represent significant changes to pro-growth tax policy supported by Congress and the Administration.

We are disappointed that many of the legislation's proposed tax increases have not been adequately scrutinized during congressional hearings. In many cases, taxpayers have relied on these longstanding tax provisions in structuring their businesses. Changing the rules without fair and adequate hear-

ings will cost in terms of jobs, investment and manufacturers' ability to compete overseas.

Manufacturers believe strongly that changes to our international tax laws should be considered in the broader context of tax reform that makes the United States more competitive—not as "pay for" for unrelated policy initiatives. Moreover, targeting some international tax law changes in advance of the tax reform debate would make the goal of pro-growth, pro-competitiveness reform that much more difficult, if not impossible, to achieve.

The NAM's Key Vote Advisory Committee has indicated that votes related to the Senate Amendment to H.R. 1586, including procedural votes, may be considered for designation as Key Manufacturing Votes in the 111th Congress.

Thank you for your consideration.

Sincerely,

JAY TIMMONS.

CHAMBER OF COMMERCE,  
GOVERNMENT AFFAIRS,  
Washington, DC, August 5, 2010.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, strongly opposes H.R. 1586, which would impose draconian tax increases on American worldwide companies that would hinder job creation, decrease the competitiveness of American businesses, and deter economic growth.

This legislation would change longstanding U.S. international tax law, the impact of which has never been given proper consideration in hearings or other bills. For example, by denying the foreign tax credit in certain scenarios involving covered asset acquisitions, this legislation hampers acquisitions by American worldwide companies, threatening their ability to create jobs while simultaneously narrowing the tax base. Stripping away the benefits of this provision would likely impede the competitiveness of American worldwide companies in their bids for foreign targets.

Additionally, limiting the use of §956 for foreign tax credit planning (i.e., the "hopscotch" rule) harms the ability of companies to repatriate cash to the United States in a tax efficient manner. Foreign business acquisitions generally result in a series of intermediate foreign holding companies, which block the repatriation of earnings for a variety of reasons such as local statutory earnings deficits or other local restrictions on actual dividends. American worldwide companies have had the ability to overcome such obstacles through the use of §956. This provision was particularly beneficial during the recent economic downturn and ensuing credit crunch when it was necessary for American worldwide companies to repatriate significant funds in order to meet the financial needs of their U.S. businesses. By limiting the use of §956, this amendment would significantly reduce the repatriation of foreign earnings, hurting economic growth and job creation.

The Chamber strongly opposes H.R. 1586 because of the significant changes it makes to U.S. international tax law, which would hurt the competitiveness of American worldwide companies, hinder their ability to create jobs, and harm the U.S. economy. The Chamber may consider votes on, or in relation to, this issue in our annual How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN.

PROMOTE AMERICA'S  
COMPETITIVE EDGE,

August 6, 2010.

DEAR MEMBER OF CONGRESS: The PACE Coalition—a broad-based organization dedicated to promoting and increasing the more than 63 million American jobs that depend on the international competitiveness of worldwide American companies—opposes inclusion of the proposed international tax increases in H.R. 1586, as amended by the Senate.

The members of PACE, including the undersigned trade associations, advocate that the United States should provide a level playing field for taxation of international operations of U.S. businesses. U.S. tax law already disadvantages worldwide American companies and their employees. U.S. companies face the second highest corporate tax rate among developed countries and an international tax system that impedes the ability of U.S. companies to expand into new markets and reinvest foreign earnings at home. The \$9.6 billion in proposed international tax increases in this bill would further disadvantage U.S. companies—harming their competitiveness and reducing the earnings U.S. companies bring back from their foreign operations, thereby reducing reinvestment in U.S. plant and equipment, funding U.S. research, and expanding U.S. payrolls.

At a time when other countries are taking steps to attract business, this legislation sends exactly the opposite message, with the effect of discouraging business investment and job creation in the United States.

PACE urges policy makers to consider comprehensive tax reform designed to increase the competitiveness of U.S. companies both at home and abroad. Changes to our international tax system that fail to consider the competitive global marketplace will further disadvantage U.S. workers. When worldwide American companies become less competitive in their ability to serve foreign markets, demand for U.S. produced goods and services will decline.

PACE looks forward to working with Member of Congress to modernize our international tax system to improve the competitiveness of the U.S. economy and create jobs at home. Because H.R. 1586 contains these detrimental international tax increases, we respectfully request that you vote against the bill.

Sincerely,

BUSINESS ROUNDTABLE,  
INFORMATION TECHNOLOGY  
INDUSTRY COUNCIL,  
NATIONAL ASSOCIATION OF  
MANUFACTURERS,  
NATIONAL FOREIGN TRADE  
COUNCIL,  
U.S. CHAMBER OF  
COMMERCE.

I yield back the balance of my time.

Mr. LEVIN. Madam Speaker, I yield the balance of our time to our distinguished Speaker, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding, and I thank the distinguished chairman of the Ways and Means Committee for bringing this important legislation to the floor, working closely with the distinguished chair of the Appropriations Committee.

This must be about the third time, Mr. Chairman, that we have brought this pay-for to the floor, the provision that repeals that provision of the law which rewards businesses for sending jobs overseas.

This is not a new subject to the Congress. It is not a new subject to the floor, thanks to your leadership.

Madam Speaker, today, we have an opportunity to create jobs. With the press of a button, each of us will play a role in creating over 300,000 jobs, saving over 300,000 jobs across the country.

Their jobs, these people are consumers. It's important to our economy that they are employed, but it goes well beyond that. It's about jobs for teachers. It's about the education of our children. It's about the innovation of our Nation. It's bigger than just a job. It's about the future.

These are jobs of firefighters and police officers, about the safety of our neighborhoods and our communities where our children can thrive. It's about nurses and health care providers, to keep our country strong in terms of the health and well-being of the American people.

It's about the stability of State budgets. Economists have told us that if this legislation were not passed and these jobs are not saved and the budgets of the States were not stabilized, we would go into another deep recession, like the one we inherited from the previous administration; and it would be a much longer path out of that recession.

I thank the distinguished chairman for bringing us to the floor with this legislation. I thank the Members on both sides of the aisle for responding so quickly to the call to return to Washington to save and create jobs for the American people.

The pay-for in this legislation, which repeals the opportunity for businesses to get a tax break for sending jobs overseas, is part of our make-it-in-America agenda. Make it in America means manufacture it in America. It also enables people to make it in America.

This is about innovation, innovation that's created here with our creativity and the benefit of our education system and our entrepreneurial spirit and the rest; and then it says when we have the idea and we create the innovation that we create the jobs here to produce it, to manufacture it, and not to scale up overseas, invent here and create the jobs overseas. No, invent here, manufacture here, and market to the world.

This is really important legislation also because of the way it is paid for. While I don't support all of the provisions, I am not happy about taking money from our energy sector or from food stamps, but I hope that we can, Mr. Chairman, make that up in another way.

I am very pleased about the funds that are obtained by repealing the provision to send jobs offshore.

This legislation is fiscally responsible and fully paid for. It invests in America's communities, again, by closing that tax loophole that allows corporations to ship jobs overseas. Have I said that enough times?

Those who claim that the legislation will add to the deficit are simply wrong. In fact, according to the non-partisan Congressional Budget Office,

this bill reduces the deficit by \$1.4 billion.

Madam Speaker, it's about time that we got this bill passed. We first passed it in the House last year, the end of last year. We passed it again, some features of it, in the spring. Finally, the Senate acted last week. Finally, they were able to get enough votes to pass it with a super majority in the Senate.

The minute we anticipated that that would happen, the word went out and we called to the House to come back to Washington so that not another day would go by without our, again, pressing that button for over 300,000 jobs.

My grandchildren, the ones who are in public school, went back to school yesterday. It's about time, again, that children in other parts of the country may be preparing to go back to school in another week or so or at the beginning of September, and they cannot afford to wait for us to put teachers back into the classroom.

□ 1500

That's why it was urgent that we act. Communities struggling to keep policemen on the beat and firefighters on the job that were on the brink of layoffs, this is good news for them. And tens of thousands of Americans will not be joining the ranks of the unemployed.

So I thank the gentleman again for his leadership, for making this part of what we have been doing for a matter of months so that we were ready when, finally, thank God, the Senate acted so that we can educate our children, innovate for our country, protect our neighborhoods and our homes, as well as keep the American people healthy, in a fiscally sound way. Again, we are doing so in a way that helps people make it in America.

For that I am grateful to the chairman and to the distinguished Democratic Leader Mr. HOYER, who coined the phrase, but for all of our Members who worked so hard to have America continue to be the shining star, the lead competitor, the innovator, number one.

President Kennedy, when he launched the campaign to send a man to the Moon and back safely many, many decades ago, he said he would do so within 10 years, and he did. But when he did it, he said if we are to honor the vows of our Founders, we must be first, and therefore we intend to be first.

This legislation is yet another piece of legislation that enables America to be first. Thank you, Mr. Chairman, for allowing us that privilege, and to Mr. OBEY as well.

Ms. MOORE of Wisconsin. Madam Speaker, this is a vitally important bill. In my state of Wisconsin alone, it will save the jobs of 2000–3000 teachers. With the school year right around the corner, it is essential that we keep these teachers in our schools—where our children need them. This legislation will also ensure that some of the most vulnerable in our society continue to receive Medicaid while protecting states from drastic cuts to their budgets. Without this Medicaid assistance, states

would be forced to lay off more workers, cut more services, and raise taxes more than they would otherwise to balance their budgets.

However, I am outraged by a reduction in Supplementary Nutrition Assistance Program (SNAP) benefits that is used to pay for this measure. Those who receive the meager SNAP benefits are the most poor and the most vulnerable in our society. Currently, 6 million Americans receiving SNAP report that they have no other source of income. In my district, about 20 percent of all people and 38 percent of children are SNAP beneficiaries.

Before this bill was considered, I offered an amendment to the Rules Committee that would have ameliorated the SNAP cut. My amendment would have rescinded \$2.972 billion in unspent Race to the Top funds in order to provide an additional year of more adequate SNAP benefits. Race to the Top funds benefit only a few chosen students and schools while on the other hand saving teacher positions benefits the masses of children who would face larger class sizes and cuts to vital programs such as libraries, computers, and gym classes. This is just one example of a more appropriate offset than cutting SNAP.

While I support the bill on the floor today, I abhor this cut and will work to restore it.

Mr. MARKEY of Massachusetts. Madam Speaker, I am pleased that the House was called back into session to take up and pass this critical jobs measure today. This bill will bolster working-class Americans, ensure that our teachers are protected from layoffs and reduce the deficit.

However, I am very concerned that the Senate chose to take \$1.5 billion out of the Renewable Energy Loan Guarantee Fund to help pay for this legislation.

Congress already tapped this program once when it took \$2 billion out of this program to extend the very successful "Cash for Clunkers" program that did so much to jumpstart auto sales last year. While the House voted last December to restore that funding, the Senate failed to act. Now, with this bill, Congress will be taking another huge bite out of the program. That's \$3.5 billion cut out of a \$6 billion program.

Through discussions with the Department of Energy, I understand that this fund will still have enough money to finance renewable energy projects through the first quarter of next year. But the funds that we are borrowing today must be replenished before then.

The \$1.5 billion in loan guarantee funds would pull an additional \$15 billion of private investment off the sideline and put it into the economy at a time when we need that investment the most. It would continue to build on the 190,000 new jobs that this program and others from the Recovery Act have created in the clean energy sector.

American consumers currently send half a billion dollars a day overseas to pay for foreign oil—money that goes to the Middle East, OPEC and countries that wish us harm. Instead, we should invest that money here at home, putting people to work building electric vehicles, wind turbines, solar panels and smart grid technology.

Make no mistake, we are in a global race with China for clean energy manufacturing jobs and technology. The country that leads the world in developing clean energy will lead the world in creating jobs.

China just threw down the gauntlet with a \$738 billion investment in renewable energy

over the next ten years. We must respond to that challenge rather than cutting our own investment.

This bill is worthy of our support and I encourage my colleagues to vote "Aye" on the underlying bill. But let's make sure we work to replenish the renewable energy loan guarantee fund so that our young industry has a shot at winning the clean energy race with China.

Vote "aye."

Mr. DINGELL. Madam Speaker, I rise today in strong support of the Education Jobs and Medicaid Assistance Act and urge my colleagues to vote in favor of this much needed legislation.

The Education Jobs and Medicaid Assistance Act will provide necessary, temporary relief for the States at a time when officials must make tough budget decisions. Governors across the country face declining revenues at the same time the economic downturn has left more of their citizens looking for help. My colleagues across the aisle will use their best political spin to characterize this legislation as fiscally unsound. They have stated that this is just another bailout for special interest groups. My friends, this couldn't be further from the truth. I don't know when our school children became a special interest group. The reality is many Republicans would rather avoid making tough decisions, cross their fingers and hope just saying "no" helps their election prospects in November.

I am proud that my colleagues and I prefer to provide real leadership and make the tough, necessary choices to put this country back on a sound fiscal track and address the pressing needs of our people. So, while my Republican colleagues spin, let me state the facts. This bill will:

Help to save or create 319,000 jobs, of which 161,000 are teacher jobs and 158,000 are for police officers and firefighters as a result of the Medicaid fund increase;

Provide an estimated \$600 million to my home state of Michigan, saving the jobs of 4,700 teachers in Michigan, and 242 teachers in the 15th District;

Provide \$16 billion for State Medicaid programs. This means an estimated \$380 million in additional Medicaid funding to Michigan to avert drastic cuts in their Medicaid program; and

Further protect jobs here at home, by closing tax loopholes that encourage corporations to ship jobs overseas.

The bill before us is fiscally sound; it is totally paid for and decreases the deficit by \$1.4 billion over 10 years. These facts cannot be disputed.

The threat of teacher and public service layoffs, and medical benefit cuts are not partisan issues. Our dire economic situation facing the States and our people affect both Democrats and Republicans alike.

Again Madam Speaker, I urge my colleagues, including my Republican colleagues—many of whom have decided to gamble with the lives of our children and paychecks of public servants by playing politics with this bill—to support this common sense legislation.

Mr. CONYERS. Madam Speaker, one of the things I have noticed over the past year, as our country has faced some of the greatest economic difficulties imaginable, is that there have been very few easy or inconsequential

votes taken on this floor. Our nation's problems are vast and deep and they have tested this Congress, as we have again and again been forced to rise and meet unforeseen challenges while, at the same time, working to restore the promise inherent in the American dream to our fellow countrymen and women.

Today is no different. The bill we bring to the floor today is a necessary measure. The fiscal fate of our states and over 300,000 jobs weigh in the balance. If we do not act, many of our nation's children will be left without teachers when they return to school in a few weeks. Worse, inaction could exacerbate an already unfolding crisis in our state and local governments, where budget shortfalls have cost 100,000 public servants their jobs in the past three months.

So, we must act. It is unfortunate that in doing so, we must also cut \$11 billion in benefits from the food stamp program to offset the cost of this necessary state aid. Indeed, this is a bitter pill to swallow.

In real terms, this means that monthly benefits for a family of three will drop by \$47 dollars in April 2014. Now, \$47 dollars may not seem like a lot of money to many in this chamber, but during this recession this additional funding has served as a lifeline for many of those who have been hit the hardest by this recession. Our food stamp program is already chronically underfunded. At current levels, these benefits are often insufficient to allow a family to purchase enough food to last an entire month.

Madam Speaker, this is why many of our fellow citizens are frustrated with Washington. It is why they think we are out of touch. We offer aid with one hand and take from the neediest with the other. It makes no sense whatsoever. As my friend, the Chairman of the Appropriations Committee, noted the other day: those who need help the most had finally caught a break, only to now have it taken away.

That said, I want to reiterate that this bill, taken as a whole, is a good bill and I will support it. This is the burden of governing; we have a duty to make tough decisions and live with them. While I disagree with the decision to phase out these important benefits in 2014 and pledge to work to ensure that they are reinstated, I respect the work my colleagues on this side of the aisle have put into crafting this necessary jobs package. It is certainly much more admirable and serious than what the other side offers: a resolution calling for Congress to shut down and take a paid two-month vacation.

I may not agree with the choices some of my Democratic colleagues make, but never for a moment do I doubt their commitment to facing down and solving the challenges facing the American people. This debate, frankly, illustrates the choice offered to our fellow citizens this fall: serious, difficult, deliberation and governance or silly and trivial gimmicks aimed at scoring political points. The American people will have to decide.

I encourage my colleagues to support this necessary, job-saving bill.

Mr. HARE. Madam Speaker, I rise in strong support of the Senate amendment to H.R. 1586, the Education Jobs and Medicaid Assistance Act.

Madam Speaker, weeks before students go back to school in Illinois, 20,000 teachers are on the front line of huge layoffs due to deep state budget cuts.



For several months, I joined Chairman MILLER and Chairman OBEY in leading the call to pass emergency education funding to protect quality public schools. And with great pride, I will vote for the Education Jobs Fund before the House today that will keep 350 teachers in my district in the classroom and off the unemployment line.

Madam Speaker, in keeping with our promise to restore fiscal responsibility abandoned by Republicans, the bill is fully paid for primarily by closing tax loopholes for corporations who ship jobs overseas and reduces the deficit by \$1.4 billion over the next decade.

Madam Speaker, teachers out of work threaten our recovery, so I ask all of my colleagues to support passage of the Education Jobs Fund.

Ms. SCHAKOWSKY. Madam Speaker, I rise today in strong support of H.R. 1586, the Education Jobs and Medicaid Assistance Act. It is essential that we get this legislation to the President's desk as soon as possible.

In the wake of the Great Recession, state budgets across the country, faced with historic funding gaps, simply do not have the funds available to respond to the increased demands placed on Medicaid and school budgets. Unless we provide help by passing this bill, they will need to take resources away from other essential services, laying off firefighters and police officers.

H.R. 1586 extends Medicaid assistance for an additional 6 months, and provides Illinois with \$545 million, to ensure that women and children, seniors, and people with disabilities do not lose access to their health care. There has been a bi-partisan call for this funding—sixteen Republican governors have publicly expressed their dire need for this money. For the past several month I have heard from physicians, nurses, hospitals, patients, small clinics, all asking that Congress act to extend Medicaid support. Today their call has been heard.

Local school districts, teachers, and parents have also been in touch regarding the need for financial support during these tough economic times. H.R. 1586 provides \$10 billion in educator support that will save 5,700 teacher, school counselor, and school support service jobs in my state alone. Because of this legislation, teachers will not be greeted with class sizes of 50 students, or worse, a pink slip, on their first day of school. It will help ensure that our children can continue get the education they need to be productive members of their community and be able to compete in the 21st century global economy.

This bill will save and create an estimated 319,000 jobs. That includes teachers, firefighters, police officers, nurses—all critical employees who get a paycheck from the state. It will also save private jobs. The Economic Policy Institute estimates that for every 100 layoffs in the public sector, the private sector sheds 30 jobs. This bill is not a handout provided during tough times—this is smart policy that will stem job loss and get us out of the Great Recession sooner.

Although this legislation is critically needed, I am greatly disappointed that the Senate included as a “pay-for” a provision reducing ARRA-enacted increases in Supplemental Nutrition Assistance Program benefits, or food stamps, beginning in 2014. SNAP provides vital, short-term support to individuals during their greatest time of need, ensuring that there

is food on the table for themselves and their children. While we need to pass this bill today, I am committed to working with my colleagues to find the funding to restore SNAP funding before 2014.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in strong support of H.R. 1586, the Education Jobs and Medicaid Assistance Act. I support this legislation because it will save and create 319,000 American jobs—many of them in the education and health sectors.

In less than a month, millions of American students will return to school eager to begin a new year of academic and personal growth. However, the quality of the schools they return to is a matter to be determined. Throughout the country, thousands of teachers have lost, or risk losing, their jobs. This is something our children and our educators can ill afford. As we work to regain economic ground, this legislation provides a total of \$10 billion in funding for education jobs to sustain thousands of schools educating millions of children. Moreover, this includes \$830.2 billion dollars for primary and secondary schools in the state of Texas.

I am pleased that this legislation includes a provision that requires Governor Perry to certify that these emergency appropriations for public education will be used solely to add new funds for public education and not misused for other purposes. We all recall what happened last year when Governor Perry misused the Economic Recovery Act State Stabilization funds. In that instance, Governor Perry used \$3.2 billion in similar aid last year as a substitute for, not an addition to, state aid to school districts. That was outrageous. It ignored the intent of our legislation, and it denied our children the education that they deserved.

I want to stress that the provision will not create a compliance burden on the state of Texas. Rather, it says only that the state cannot take the federal aid and then use it as an excuse to make disproportionate cuts in state education aid to school districts, relative to other parts of the state budget that might also have to take a hit in the next budget cycle. This required assurance is no more onerous than assurances Governor Perry has given previously to receive billions of dollars in other federal funds. Texas cannot afford to be left out again, and I join my colleague LLOYD DOGGETT and groups of teachers, principals and administrators from across the state of Texas who strongly support this provision.

Madam Speaker, I applaud you for reconvening this week to pass this crucial legislation. We have a bold vision for creating and sustaining an education system that prepares our children to excel. As President Obama said yesterday in Texas, “education is the economic issue of our time.” I could not agree more. Today we have the opportunity to pass legislation that will impact education jobs today and our children's job prospects tomorrow. With schools forced to make difficult personnel decisions before the start of the school year, this legislation is the necessary action at the necessary time. According to updated estimates from the Department of Education, the \$10 billion education funding will save 161,000 teacher jobs.

In addition to education jobs funding, this legislation will also save and create jobs in the health sector. According to an analysis by the

Economic Policy Institute, a non-partisan think tank, the Medicaid funds will save and create 158,000 jobs, including preventing the layoff of police officers and firefighters. More than half these jobs will be in the private sector, including workers who contract for or supply services to state and local governments.

Under the Recovery Act, enacted in February 2009, the federal Medicaid matching rate was increased by 6.2 percentage points for all states and by additional percentage points for states with high unemployment. These temporary provisions were enacted in response to the state fiscal crisis—with the increased Medicaid caseloads and decreasing state revenues resulting from the deep recession. However, these provisions are scheduled to expire on December 31, 2010 with dire consequences for our economy.

As the Center on Budget and Policy Priorities found: “if Congress does not extend the enhanced Medicaid matching funds in last year's Recovery Act, most states will cut public services or raise taxes . . . without more federal aid, state budget-closing actions could cost the national economy 900,000 public- and private-sector jobs.”

Due to the deep and enduring recession, states have lost tax revenue for the last two years and revenues are projected to remain at severely-reduced levels throughout fiscal year 2011. As a result, states have been forced to scale back spending and implement large service cuts to balance their budgets. While fiscal austerity is important, budget cuts impact more than a bottom line—the local health and emergency personnel need their jobs to make ends meet for themselves and their families. By extending the Medicare matching funds, we will help state and local governments save money and allow them to stay afloat while the economy improves. At least 34 states will cut jobs and services if this assistance is not enacted. This legislation will have a direct impact on Texas by providing an estimated \$858,000,000 for Medicaid fiscal relief which will, in turn, save and create thousands of jobs.

Madam Speaker, I thank you again for calling us back to session to save America's jobs.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in support of the Motion to Concur to the Senate Amendment to H.R. 1586, which provides emergency education and Medicaid funding for the States. This \$10 billion in education funding will save thousands of teacher jobs across this country. In my congressional district in Dallas, nearly 700 teacher jobs will be preserved with these emergency dollars.

In particular, I'd like to thank House and Senate Leadership for including within this bill Texas specific language that would prevent the State of Texas from misusing federally directed dollars for educational purposes. When Texas was awarded \$3.25 billion for the State Fiscal Stabilization Fund, this money never made it to the local education agencies. Instead, it was placed in a rainy day fund by the Texas Governor. This was not the intent of these funds, and it has forced Congress to prevent this situation from happening again.

Provisions inserted into this bill would prevent Texas from placing these emergency dollars meant for teachers into any other fund. It would tie funding to Title I schools, so that this money goes to our neediest schools. It would also prevent the State of Texas from making

a severe and disproportionate cut to state education funding next year. We did this, so that the Texas Governor could not say to Dallas schools, since you received \$39 million extra from the federal government last year, we're going to cut your funding by the same amount for 2011. If the State of Texas cannot abide by this and rejects the funding, then the Department of Education will provide the money directly to the local education agencies. No matter what this money will go to our schools and students.

The State of Texas has shown it cannot act in good faith when it relates to federal funding for our schools. These dollars are imperative and will save 14,500 teacher jobs across Texas.

I do have some concerns regarding this legislation and offsets that are made to fund this bill. In particular, I disagree with a funding cut to the Supplemental Nutritional Assistance Program. At a time when we have record enrollment in the SNAP program, a decrease in funding to this program is very disconcerting. We must not target the poorest among us in providing emergency funds for others in need. Despite my concerns I recognize the importance of this funding and support the passage of this legislation.

Mr. LANGEVIN. Madam Speaker, I rise in support of the Education Jobs and Medicaid Assistance Act. This bill will supply much needed fiscal relief to Rhode Island, providing \$33 million in education funding to prevent hundreds of teacher layoffs, as well as \$70 million in Federal Medicaid funding that will help the state close a significant budgetary gap.

While Congress has taken unprecedented actions over the past two years to avert a full economic depression and put our country back on the path of positive economic growth, the recovery has been slow and painful. This is particularly true in Rhode Island, which has the fourth highest unemployment rate in the country at 12 percent. Rhode Islanders are still struggling to find jobs; and we are finally beginning to see glimmers of hope in a still fragile economy. We simply cannot afford to lay off more dedicated workers, create longer unemployment lines and slash social services at a time when people need them the most.

This legislation includes \$10 billion in emergency support to school districts and ensures that states use these funds for the preservation of jobs serving elementary and secondary education. It is anticipated that the \$33 million in funding to Rhode Island will save 500 education jobs. Investing in our children's education not only has long-term benefits to our economy, but it also delivers on our nation's promise to ensure that all individuals have an equal opportunity to succeed.

Also included in this measure is \$16.1 billion in health assistance to states, \$70 million of which will be allocated to Rhode Island. This funding will prove vital to reducing the state's budgetary shortfalls, and will help keep many workers on the job, including our police officers and firefighters. It is expected that more than half these jobs nationally will occur in the private sector, including workers who contract with, or supply services to, state and local governments.

Finally, this bill is completely paid for, with no increase to the federal deficit. According to the Congressional Budget Office, the bill reduces the deficit by \$1.4 billion over 10 years

by closing international tax loopholes and cutting back on other federal programs. However, I am disappointed that one of the programs slated for cuts is the Supplemental Nutritional Assistance Program, particularly given the increased need for food assistance as our families continue to recover from the economic downturn.

I urge my colleagues to support this bill and protect the jobs of our teachers, first responders and other employees, in both the public and private sector.

Mr. DICKS. Madam Speaker, the Senate proposes rescissions totaling nearly \$2.2 billion to Department of Defense programs in their amendment to the 2010 Supplemental Appropriation. These rescissions will not harm DoD programs and will not affect the conduct of continuing operations in Afghanistan or Iraq.

The Senate bill proposes rescissions in three categories.

First, in section 303, the Senate amendment proposes \$1.6 billion in rescissions based on the Department of Defense accounting reports. These rescissions are a reflection of balances that would likely expire at the end of this fiscal year, or be reprogrammed for other efforts.

Second, in section 304, the Senate amendment proposes \$382.5 million. Of this amount, \$260.5 million is from funding appropriated in the American Reinvestment and Recovery Act for facilities sustainment, restoration and modernization. This funding is available for rescission based on contract savings. This section also rescinds \$122 million of funding from Marine Corps procurement because the Marine Corps has not been able to spend this money.

Third, in section 305, the Senate amendment proposes \$203 million. Of this amount, \$116 million is derived from an Army procurement program, the Non Line of Sight Launch System (NLOS-LS), which the Department of Defense terminated earlier this year. This section also includes \$87 million of funding from Other Procurement, Army due to slower than planned spending rates in Army truck and communications programs.

The Senate amendment would not affect contingency operations in Afghanistan or Iraq. Those funds are provided separately to the Department of Defense, and are given special designation. None of the funds proposed for rescission are those designated for Overseas Contingency Operations.

The DoD budget is sufficient to shoulder part of the burden to provide financial relief recommended in this bill. I urge your support for this bill.

Mr. DAVIS of Illinois. Madam Speaker, I thank you for the opportunity to vote on this important bill that will provide critical aid to states and local governments. The House of Representatives twice has passed bills to provide federal assistance for education and health. I am pleased that we finally are able to deliver this desperately needed federal support to our constituents.

I support this legislation because it will provide essential assistance to Chicago, Illinois, and the nation. The Illinois Association of School Administrators estimates that Illinois will lose more than 20,000 education-related jobs for the upcoming school year. The State of Illinois anticipates receiving approximately \$415 million to keep 5,700 teachers in the classroom. My congressional district is expected to receive approximately \$36 million to

keep 508 educators teaching my young constituents. This \$415 million will provide a lifeline to local school districts with straining budgets to preserve some of these jobs, improving children's learning and the economic well-being of my state and the nation.

In addition to this vital education funding, this bill will provide \$550 million to help cover 300,000 Illinoisans on Medicaid—preserving services, allowing timely payments to providers, and creating thousands of jobs. These are not theoretical numbers; to people in Chicago and Illinois, they are very real people who benefit. The beneficiaries are mothers, fathers, young adults, senior citizens, and children in Illinois. The beneficiaries are the teachers, firefighters, and police officers who will continue to work as educators and protectors of our communities. The beneficiaries are small businesses in the private sector who contract with state and local governments to provide health-related work.

Given the desperate need for this funding in my district and state, I cast my vote in support for this federal aid to preserve education jobs and health services for low-income persons. This said, I wish to voice my disappointment that one of the offsets for this bill sent to us by the Senate is a reduction in funding for poor families in need of federal aid to purchase food. Children and families who receive food assistance are some of our most vulnerable citizens. In 2009, 1.46 million Illinoisans in 677,000 households received food stamps with an average per month of about \$136 for a total benefit value issued of \$2.3 billion. There are many poor families in Chicago and Illinois who need the full amount of the food benefits. Even if the impact is a few years away, I am disappointed that my vote to provide almost \$1 billion of federal assistance to my state occurs by reducing future benefits to the poor. I vow to work actively with my colleagues to replace this funding so that no reduction in food assistance comes to fruition.

Mr. BROWN of Georgia. Madam Speaker, due to a previously scheduled commitment, I was unable to return to Washington, DC, on August 10, 2010, to cast my vote in opposition to rollcall No. 518, the "Education Jobs and Medicaid Assistance Act," incorporated as a Senate Amendment to H.R. 1589.

This bill is nothing more than another state bailout that prevents states from making responsible budgetary decisions while increasing federal deficit spending. It provides \$26.1 billion in temporary state education and Medicaid assistance paid for through a combination of permanent federal tax increases, spending rescissions from the Stimulus Act, and questionable accounting methods from the Food Stamp Program.

As a condition of receiving the federal education funds, states are forbidden from reducing educational expenditures below 2009 levels and must use the funds to pay for teacher salaries. This assistance is similar to the State Fiscal Stabilization Fund created in the first stimulus that has already distributed \$53 billion to states' education budgets and, in many cases, was used for teacher salary raises—not to meet funding gaps. Providing more federal funding to states' education budgets will further delay the states from making sensible reforms to ease their budgetary pressures. Similarly, this bill will extend the federal Medicaid matching rate—also created in the stimulus—until June 2011, creating more state dependency on the federal government.

The American people are witnessing the results of this administration's extraordinary deficit spending, and it is not yielding the promised low unemployment and increased job growth. With the national unemployment rate still at 9.5 percent and existing historic deficits, it is time for the federal government to rein in its spending and allow the states to take responsibility for their own budgets.

Ms. MCCOLLUM. Madam Speaker, today the House of Representatives is voting on a jobs bill that will keep Americans working. This is a jobs bill that will keep 161,000 teachers in the classroom rather than in the unemployment line. This is a bill that prevents thousands of first-responders who are protecting our communities today from losing their jobs tomorrow. Passing this jobs bill is not a luxury or an act of political patronage as some Republicans claim. This bill is about saving and creating jobs while keeping communities in Minnesota and across the country safe, strong, and sustainable as this economy recovers.

The Speaker of the House, NANCY PELOSI, is to be commended for calling the House back into session during this August recess. The Education Jobs and Medicaid Assistance Act (H.R. 1586) needs to be passed and signed into law as soon as possible. Jobs are at stake. Families are at stake. The education of millions of students is at stake. Speaker PELOSI recognizes the crisis that state and local governments are facing, and she is committed, along with many of us, to making sure teachers stay in the classroom and states receive essential Medicaid assistance, FMAP, as soon as possible.

With states facing a \$140 billion fiscal year 2011 cumulative budget gap, there is a critical need for Washington to provide state fiscal relief that can sustain the economic recovery. The state fiscal crisis is tearing an already fragile safety net, hurting communities, and inflicting hardships on our most vulnerable citizens. Dozens of states, including Minnesota, have been hit hard by a loss of tax revenue as a result of workers losing their jobs and unemployment remaining high. State and local governments have been forced to cut 100,000 jobs in the last 3 months alone as they struggle to balance budgets. We know that police officers, first responders, teachers, and other vital government workers who keep our communities safe, strong, and sustainable are getting laid off when our families need them on the job.

The \$26.1 billion in federal support for teachers and Medicaid provided in this bill is completely paid for by closing foreign tax loopholes exploited by corporations, rescinding funds from outdated programs, and cutting funding for other programs. This bill is not deficit neutral; it actually reduces the deficit by \$1.4 billion over 10 years.

While paying for a bill that is projected to save or create nearly 320,000 jobs is not easy, I cannot hide my disappointment that nearly \$12 billion in offsets were achieved by reducing benefits to food stamp recipients starting in 2014. I hope the reductions in benefits, which are provided by the Supplemental Nutrition Assistance Program, are restored and hungry families are not forced to bear the burden of providing fiscal relief to state governments.

As our economy slowly recovers it remains in a fragile state. Congress has an obligation

to act to preserve jobs, sustain the economic recovery, and overcome the perpetual political game playing of a minority party that is willing to put 161,000 teachers in the unemployment line rather than keep them in the classroom. In Minnesota, this bill will provide \$167 million to prevent 2,800 teachers from being laid off. It will save the State of Minnesota \$346 million under a 6-month extension of the FMAP provision in the Recovery Act, according to the Center on Budget and Policy Priorities. In Minnesota's Fourth Congressional District, which I represent, nearly \$30 million in funding will keep 411 public school teachers in the classroom to the benefit of our children and our community.

It would be my hope that this bill will pass the House with bipartisan support. There is support from Democratic and Republican governors. Some 42 governors, including 16 Republicans, wrote to Congress seeking the Medicaid assistance provided in this bill. Their letter said the most efficient way to help states avoid further layoffs and service cuts that could otherwise slow the recovery is to provide a two-quarter extension of Medicaid aid.

Unfortunately in Congress my Republican colleagues are more concerned about November's election and playing politics than keeping teachers in the classroom. The \$10 billion provided to keep 161,000 teachers working for our children should be a litmus test for voters. This is a vote for jobs and for our children's future. This is a vote that will expose Republicans as either defenders of jobs or as nothing more than a party that cuts taxes for the rich, protects Wall Street executives, and is willing to throw 161,000 public school teachers out on the street while our children suffer.

I am proud to vote for this bill. I am proud to support the men and women who have chosen a career of service as educators in public schools. The benefits of this bill will be felt in every state and every public school in the country and I urge all of my colleagues to vote for H.R. 1586.

Mr. HOLT. Madam Speaker, the bill before us makes critical investments in education which are fully paid for by closing tax loopholes that reward corporations who ship jobs overseas and by finding savings in other programs.

Just this week, the New Jersey School Boards Association released a survey that found that 80 percent of school districts expect to have larger class sizes and fewer teachers when school starts this fall.

Our children do not get a second chance to succeed in school, and our future economic growth depends on a well educated and innovative workforce. We cannot afford to short-change our children or risk laying off our teachers.

The current economic downturn has hit the tax base hard, schools have suffered and many are being forced to cut services. Previously, the American Recovery and Reinvestment Act made several sound investments in public education to keep teachers in the classroom and help school districts avoid painful cuts.

Most, if not all, of this emergency funding has been spent. Further, at this most critical time, Governor Christie made the wrong call in cutting state aid to our local schools. Already he has cut \$1.2 billion from education programs statewide.

The \$10 billion included for the Education Jobs Fund will help keep teachers in the

classroom and make sure that class sizes do not balloon next fall. This funding will help keep 161,000 teachers in the classroom and at work, 3,900 in New Jersey and 160 in Central New Jersey.

I am deeply concerned that Governor Christie is considering not applying for the funds our state is slated to receive. If he fails to do so, the legislation allows the U.S. Secretary of Education to make awards to other entities in New Jersey so our students do not suffer.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of the Education Jobs and Medicaid Assistance Act—and the thousands of teachers, nurses, firefighters and police whose jobs it will preserve. Whether you look at this legislation from an economic recovery perspective, or a public safety perspective, or an educational opportunity perspective, it's simply the right thing to do.

The \$16.1 billion in temporary Medicaid assistance to our states through June 30, 2011, will protect Medicaid participants and prevent the massive layoffs of first responders and other key personnel that would otherwise occur. And the bill's \$10 billion education jobs fund will save at least 161,000 teachers' jobs—including an estimated 2,500 positions in my home state of Maryland—so that our children can continue to get the high quality education they deserve.

Madam Speaker, like many Americans, I was disappointed to hear the distinguished Minority Leader Mr. BOEHNER refer to our teachers, nurses, firefighters and police as "special interests." They are not. They are public servants whose efforts we're going to need to educate our children and keep our communities safe. But as disappointing as that comment was, it tells you a lot about the differences between the two parties as we head into a very important election season.

Finally, Madam Speaker, the cost of keeping our teachers in the classroom instead of the unemployment line is fully paid for by closing tax loopholes that encourage big corporations to ship jobs overseas. Most taxpayers would understandably be outraged if they were told that in addition to paying their own taxes, they should also be required to pay taxes U.S. multinationals owe to foreign countries for income those companies earn offshore. But through a process called "credit splitting," that's precisely what happens: U.S. multinationals are able to use foreign tax credits to reduce their U.S. tax liability, but in many cases never pay U.S. tax on the offshore income that generated those credits in the first place. As a result, U.S. taxpayers are effectively subsidizing the companies' foreign tax liability. Adding insult to injury, since this kind of burden-shifting isn't available for income earned inside the United States, our current rules actually encourage U.S. multinationals to invest their marginal dollar overseas.

We can and must do better. Vote "yes" for jobs at home and "no" to shipping jobs overseas.

Mrs. CAPPS. Madam Speaker, I rise in full support of this critical assistance for our teachers and relief for our state budgets.

Passage of this bill will provide over \$1 billion in desperately needed Medicaid funding for California in order to protect essential health care services for our most vulnerable.

Without this crucial assistance, California's Medicaid program, Medi-Cal, would have to

eliminate programs, reduce reimbursements and otherwise inhibit access to health care services at a time when more families than ever are relying on this safety-net program.

In addition, the emergency funding for education will bring \$19.1 million dollars to my district just in time to begin the 2010–2011 school year.

There is no doubt in my mind that the preservation of 268 education jobs in my district alone was worth flying back to Washington to take this important vote.

I urge all of my colleagues to vote in favor of this legislation and hope to see it signed by the President as quickly as possible.

Mr. STARK. Madam Speaker, I rise today in support of the Education Jobs and Medicaid Assistance Act. This bill provides much-needed assistance to our community, by funding jobs in our schools and helping states maintain health coverage for low-income families.

Students are returning to school this fall, and states and localities are facing budget crunches that could lead to layoffs of teachers and first responders. These budget shortfalls also jeopardize health coverage for the millions of American families that depend on Medicaid.

The Education Jobs and Medicaid Assistance Act extends a program in the Recovery Act that support local school districts to prevent teacher layoffs. This bill provides \$10 billion in funding that will create or save over 160,000 teachers nationwide, including 16,500 in California.

The legislation also extends a Recovery Act program that will provide \$16.1 billion for states' Medicaid programs. Medicaid provides health care to low-income Americans, including children and pregnant women. In California, 7.5 million people depend on Medi-Cal, the state Medicaid program. If we don't provide this funding to states, many will be forced to balance their budgets by dropping people off their Medicaid rolls, cutting benefits, or weakening the program by reducing payments to doctors, hospitals, and other providers.

The Education Jobs and Medicaid Assistance Act will create and save over 150,000 jobs—including first responders, nurses, and private sector jobs—because it provides an influx of funds that enables states to balance their budgets.

This legislation does not add to the deficit. It is paid for by reducing government spending and closing tax loopholes for companies that ship American jobs overseas. With today's vote, this bill will go to the President's desk for his quick signature. I urge my colleagues to join me in voting yes.

Mr. ORTIZ. Madam Speaker, I rise in support of the bill before us today, which takes direct action to secure an ample education workforce that continues to prepare our children for the future. Teachers are the core of our educational system, and we must do all we can to ensure that their jobs do not fall victim to our economy, budget cuts or state partisan politics.

As Dean of the Texas Democratic delegation, I would like to thank the Speaker of the House, Committee Chairmen and their staffs for their support and willingness to work with the Texas delegation to ensure that Texas teachers and students directly benefit from this bill.

Included in the Education Jobs and Medicaid Assistance Act is explicit language re-

quiring the State of Texas, specifically Governor Perry, certify that our emergency federal appropriations for public education will be used solely to add new funds for public education and not diverted for other purposes as was done last year with the Economic Recovery Act State Stabilization monies. We want to ensure that any new emergency funds Congress provides for education goes to enhancing our Texas schools and not the states' rainy day fund.

These funds will be directly distributed to local schools as long as the Governor certifies that (1) federal funds will not be used merely to replace state education support, and (2) education funding will not be cut proportionally more than any other item in the budgets of upcoming years. This prevents any further shell games with federal education dollars at the expense of local schools districts, who desperately need these dollars.

This approach has been endorsed by Texas statewide education organizations representing teachers, principals, school boards, school administrators, and nearly 40 superintendents, including those representing Brownsville ISD, Corpus Christi ISD, Gregory-Portland ISD, Kingsville ISD, Port Aransas ISD, and Robstown ISD.

To further address the claims from my friends across the aisle that this language is unconstitutional, the bill does not mandate any state or Governor to make a binding contract, but simply a good faith assurance that state education dollars will remain a priority in the coming years.

My Texas Democratic delegation colleagues and I have been fighting for this language to be included in the bill to ensure local school districts in Texas have the support they need. This is a good and long awaited bill that will save over 700 jobs in my district.

I strongly urge my colleagues to support it. Ms. MATSUI. Madam Speaker, I rise today in support of the rule and the underlying legislation.

The Education Jobs and Medicaid Act would relieve strained state budgets, save jobs, protect public health and safety and ensure our nation's youth receive the educations they deserve.

This critical legislation is fully paid for and would help states and local communities in two ways:

First, the bill would provide states with funds to preserve the jobs of teachers, keeping educators in the classroom.

Second, it would extend a temporary increase in the federal Medicaid matching rate, providing desperately needed assistance to already cash strapped states.

These problems are known all too well in California and in my home town of Sacramento where we have been grappling with teacher and police layoffs to balance the budget.

My district's unemployment rate is 12.6 percent and the cutting of any jobs for those who teach and protect our children will continue to have a devastating impact on our future.

And if we cannot deliver money to FMAP the state will be forced to cut Medi-CAL and other programs, endangering the health of families and jobs in the health care sector.

These cuts would not only put the safety and well-being of our constituents at risk, but would also result in additional job losses, which we clearly cannot afford.

H.R. 1586 would make certain that my constituents and all Americans get the care and services they need.

The American people are feeling the effects of state budget constraints every day and they should not be forced to wait any longer for relief.

I urge my colleagues to support the rule and the underlying legislation.

Ms. LEE of California. Madam Speaker, I rise today to speak in support of the 13,500 teachers in California who will get to keep their jobs this fall as result of the education funding we provide today.

I rise in support of the over \$1.8 billion that will come back to California to help pay for Medicaid assistance for low income people.

Without this crucial funding California would be forced into even more painful budget cuts that would have cascaded down to our local cities and counties—forcing layoffs for police, fire, EMT's and other critical personnel.

While I support this aid to the states to keep people at work—I am disappointed that the other body would choose to pay for this assistance on the backs of poor people who receive food stamps. I ask for unanimous consent to insert into the RECORD an August 6 editorial in the New York Times—Congress's Serial Hits on Food Stamps.

We spend trillions in support of two wars—funneling hundreds of billions of dollars into a black hole over at the Pentagon—yet we can't find another way to fund a good education for our kids or help States provide healthcare to the poor?

Have we lost our moral compass?

The Congress continues to throw away our children's inheritance in Afghanistan to pursue the longest war in American history, yet finds it okay to cut food stamps.

That doesn't make any sense! We should not have to choose between forcing people to go hungry and our children's education.

Madam Speaker, I will vote for this bill because the States are desperate for this money—but the other body should have done better.

In addition to these funds we should have been approving money to pay our debt to Black farmers and the Native American community, to fund youth employment programs, and to extend the TANF emergency contingency fund.

As Chair of the Congressional Black Caucus, I can say with certainty that we will not relent and will fight to get these priorities done. We should not have to choose between forcing people to go hungry and our children's education.

[From the New York Times, Aug. 6, 2010]

#### CONGRESS'S SERIAL HITS ON FOOD STAMPS

With some shabby sleight of hand, Congress has begun tapping into the food stamp program for the hungriest Americans to help pay for lawmakers' higher election-year priorities. The Senate approved two important measures this week—the \$26 billion state-aid bill and the \$4.5 billion school nutrition program—in part by shaving food stamp funds as a target of least resistance.

There is no denying that both of the programs are badly needed. The state aid package, regrettably compromised as it was, helps protect jobs for teachers and other workers facing layoffs. The school nutrition program provides the first improvements in a generation, including an increase in meal reimbursements and the power to set federal nutrition standards for schools.

But treating food stamps as the fungible means to worthy ends is a cowardly blight on Congress. After the Bush years of guilt-free tax cutting and deficit budgeting, lawmakers are self-righteously embracing pay-as-you-go legislation lest they be demagogued at the ballot box. So they resort to fiscal triage.

Originally, school nutrition was slated to be paid for by cuts in a farm conservation program. But Republicans rated this a high priority for the livestock industry. A deal was struck with Democrats to cut back on the scheduled boost in future food stamp benefits that was part of last year's economic stimulus. Food stamps took a second hit as lawmakers turned to it like an all-purpose A.T.M. to help cover the cost of state aid.

Senator Blanche Lincoln, a Democrat of Arkansas who fought hard to get the school nutrition improvements, told Politico.com that the food stamp increase was doomed in any case: "You saw the teachers grab for it." Her comfort was those dollars would feed children. But this is a pale rationalization that downgrades the hunger of entire families. A companion bill in the House, yet to be paid for, is an opportunity to right this wrong.

In the crunch of the recession, if Congress lacks the guts to meet vital needs with deficit financing, it should have the decency to chisel some less-humane program than food stamps.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1606, the previous question is ordered.

The question is on the motion by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LEVIN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 247, nays 161, not voting 25, as follows:

[Roll No. 518]

YEAS—247

Ackerman	Clay	Foster
Adler (NJ)	Cleaver	Frank (MA)
Altmire	Clyburn	Fudge
Andrews	Cohen	Garamendi
Arcuri	Connolly (VA)	Giffords
Baca	Conyers	Gonzalez
Baird	Costa	Gordon (TN)
Baldwin	Costello	Grayson
Barrow	Courtney	Green, Al
Bean	Critz	Green, Gene
Becerra	Crowley	Grijalva
Berkley	Cuellar	Gutierrez
Berman	Cummings	Hall (NY)
Bishop (GA)	Dahlkemper	Halvorson
Bishop (NY)	Davis (AL)	Hare
Blumenauer	Davis (CA)	Harman
Bocieri	Davis (IL)	Hastings (FL)
Boren	Davis (TN)	Heinrich
Boswell	DeFazio	Herseth Sandlin
Boucher	Delahunt	Higgins
Boyd	DeLauro	Hill
Brady (PA)	Deutch	Himes
Braley (IA)	Dicks	Hinchee
Brown, Corrine	Dingell	Hirono
Butterfield	Doggett	Hodes
Cao	Donnelly (IN)	Holden
Capps	Doyle	Holt
Capuano	Driehaus	Honda
Cardoza	Edwards (MD)	Hoyer
Carnahan	Edwards (TX)	Inslee
Carney	Ellison	Israel
Carson (IN)	Ellsworth	Jackson (IL)
Castle	Engel	Jackson Lee
Castor (FL)	Eshoo	(TX)
Chandler	Etheridge	Johnson (GA)
Childers	Farr	Johnson, E. B.
Chu	Fattah	Kagen
Clarke	Filner	Kanjorski

Kaptur	Moore (KS)	Schauer
Kennedy	Moore (WI)	Schiff
Kildee	Moran (VA)	Schrader
Kilpatrick (MI)	Murphy (CT)	Schwartz
Kilroy	Murphy (NY)	Scott (GA)
Kind	Murphy, Patrick	Scott (VA)
Kirkpatrick (AZ)	Nadler (NY)	Serrano
Kissell	Napolitano	Sestak
Klein (FL)	Neal (MA)	Shea-Porter
Kosmas	Nye	Sherman
Kratovil	Oberstar	Shuler
Kucinich	Obey	Sires
Langevin	Oliver	Skelton
Larsen (WA)	Ortiz	Slaughter
Larson (CT)	Owens	Smith (WA)
Lee (CA)	Pallone	Space
Levin	Pascarell	Spratt
Lewis (GA)	Pastor (AZ)	Stark
Lipinski	Payne	Stupak
Loeb sack	Pelosi	Sutton
Lofgren, Zoe	Perlmutter	Teague
Lowey	Perriello	Thompson (CA)
Lujan	Peters	Thompson (MS)
Lynch	Peterson	Tierney
Maffei	Pingree (ME)	Titus
Maloney	Polis (CO)	Tonko
Markey (CO)	Pomerooy	Towns
Markey (MA)	Price (NC)	Tsongas
Marshall	Quigley	Van Hollen
Matheson	Rahall	Velázquez
Matsui	Rangel	Visclosky
McCarthy (NY)	Reyes	Walz
McCollum	Richardson	Wasserman
McDermott	Rodriguez	Schultz
McGovern	Ross	Waters
McIntyre	Rothman (NJ)	Watson
McMahon	Roybal-Allard	Watt
McNerney	Ruppersberger	Waxman
Meeks (NY)	Rush	Weiner
Melancon	Ryan (OH)	Welch
Michaud	Salazar	Wilson (OH)
Miller (NC)	Sánchez, Linda	Woolsey
Miller, George	T.	Wu
Minnick	Sánchez, Loretta	Yarmuth
Mitchell	Sarbanes	
Mollohan	Schakowsky	

NAYS—161

Aderholt	Fleming	McCotter
Akin	Forbes	McHenry
Alexander	Fortenberry	McKeon
Austria	Fox	McMorris
Bachmann	Franks (AZ)	Rodgers
Bachus	Frelinghuysen	Mica
Barrett (SC)	Gallely	Miller (FL)
Barrett	Garrett (NJ)	Miller (MI)
Bartlett	Gerlach	Moran (KS)
Barton (TX)	Gohmert	Murphy, Tim
Biggart	Goodlatte	Myrick
Bilbray	Granger	Nunes
Bilirakis	Graves (GA)	Olson
Bishop (UT)	Graves (MO)	Paul
Blackburn	Griffith	Paulsen
Boehner	Guthrie	Pence
Bonner	Hall (TX)	Petri
Bono Mack	Harper	Pitts
Boozman	Hastings (WA)	Platts
Brady (TX)	Heller	Poe (TX)
Bright	Hensarling	Posey
Brown (SC)	Herger	Price (GA)
Brown-Waite,	Hoekstra	Putnam
Ginny	Hunter	Rehberg
Burgess	Inglis	Reichert
Burton (IN)	Issa	Roe (TN)
Buyer	Jenkins	Rogers (AL)
Calvert	Johnson (IL)	Rogers (KY)
Camp	Johnson, Sam	Rogers (MI)
Campbell	Jordan (OH)	Rohrabacher
Cantor	King (IA)	Ros-Lehtinen
Capito	King (NY)	Royce
Cassidy	Kingston	Ryan (WI)
Chaffetz	Kirk	Scalise
Coble	Kline (MN)	Schmidt
Coffman (CO)	Lamborn	Schock
Cole	Lance	Sensenbrenner
Conaway	Latham	Sessions
Cooper	Latta	Shadegg
Crenshaw	Lee (NY)	Shimkus
Culberson	Lewis (CA)	Shuster
Davis (KY)	LoBiondo	Simpson
Dent	Lucas	Smith (NE)
Diaz-Balart, M.	Luetkemeyer	Smith (NJ)
Djou	Lummis	Smith (TX)
Dreier	Mack	Stearns
Duncan	Manzullo	Sullivan
Ehlers	Marchant	Taylor
Emerson	McCarthy (CA)	Terry
Fallin	McCaul	Thompson (PA)
Flake	McClintock	Thornberry

Tiahrt	Walden	Wittman
Tiberi	Westmoreland	Wolf
Turner	Whitfield	
Upton	Wilson (SC)	

NOT VOTING—25

Berry	Jones	Rooney
Blunt	LaTourette	Roskam
Boustany	Linder	Snyder
Broun (GA)	Lungren, Daniel	Speier
Buchanan	E.	Tanner
DeGette	Meek (FL)	Wamp
Diaz-Balart, L.	Miller, Gary	Young (AK)
Gingrey (GA)	Neugebauer	Young (FL)
Hinojosa	Radanovich	

□ 1526

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. OBEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1586 and the motion to concur.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DANIEL E. LUNGREN of California (at the request of Mr. BOEHNER) for today on account of medical reasons.

Mr. GINGREY of Georgia (at the request of Mr. BOEHNER) for today on account of emergency dental surgery.

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for today on account of medical reasons.

## ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 511. An act to authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village.

H.R. 2097. An act to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

H.R. 3509. An act to reauthorize State agricultural mediation programs under title V of the Agricultural Credit Act of 1987.

H.R. 4275. An act to designate the annex building under construction for the Elbert P. Tuttle United States Court of Appeals Building in Atlanta, Georgia, as the "John C. Godbold Federal Building".

H.R. 5552. An act to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution.



H.R. 5872. An act to provide adequate commitment authority for fiscal year 2010 for guaranteed loans that are obligations of the General and Special Risk Insurance Funds of the Department of Housing and Urban Development.

H.R. 5981. An act to increase the flexibility of the Secretary of Housing and Urban Development with respect to the amount of premiums charged for FHA single family housing mortgage insurance, and for other purposes.

### ADJOURNMENT

Mr. HASTINGS of Florida. Madam Speaker, pursuant to section 2(b) of House Concurrent Resolution 308, 111th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 26 minutes p.m.), the House adjourned until Tuesday, September 14, 2010, at 2 p.m.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8716. A letter from the Under Secretary for Industry and Security, Department of Commerce, transmitting a report that the Department intends to impose additional foreign policy-based export controls on certain equipment for the execution of human beings, under the authority of Section 6 of the Export Administration Act of 1979, as amended, and continued by Executive Order 13222 of August 17, 2001, as extended by the Notice of August 15, 2009; to the Committee on Foreign Affairs.

8717. A letter from the Federal Co-Chairman, Delta Regional Authority, transmitting in compliance with the Accountability for Tax Dollars Act of 2002 (ATDA), a copy of the Authority's Audited Financial Statements for FY 2009, pursuant to Public Law 106-554, section 382L. (114 Stat. 2763A-280); to the Committee on Oversight and Government Reform.

8718. A letter from the Director, Office of National Drug Control Policy, Executive Office of the President, transmitting the final plan for the allocation of the Fiscal Year (FY) 2010 HIDTA discretionary funds; to the Committee on the Judiciary.

8719. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Grand Marais Splash-In, West Bay, Lake Superior, Grand Marais, MI [Docket No.: USCG-2010-0470] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8720. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation for Marine Events; Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District [Docket No.: USCG-2010-0180] (RIN: 1625-AA08) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8721. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; DEEPWATER HORIZON at Mississippi Canyon 252 Outer Continental Shelf MODU in the Gulf of Mexico [Docket No.: USCG-2010-0448] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the

Committee on Transportation and Infrastructure.

8722. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks for the Virginia Lake Festival, Buggs Island Lake, Clarksville, VA [Docket No.: USCG-2010-0478] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8723. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones: Neptune Deep Water Port, Atlantic Ocean, Boston, MA [Docket No.: USCG-2010-0542] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8724. A letter from the Secretary, Department of Transportation, transmitting the Department's report on the Tribal-State Road Maintenance Agreements, pursuant to Public Law 109-59, section 1119(k); to the Committee on Transportation and Infrastructure.

8725. A letter from the Secretary, Department of Energy, transmitting an annual report concerning operations at the Naval Petroleum Reserves for fiscal year 2009, pursuant to the Naval Petroleum Reserves Production Act of 1976, pursuant to 10 U.S.C. 7431(c); jointly to the Committees on Armed Services and Energy and Commerce.

8726. A letter from the Secretary, Department of Energy, transmitting Report to Congress on Dedicated Ethanol Pipeline Feasibility; jointly to the Committees on Transportation and Infrastructure and Energy and Commerce.

8727. A letter from the Board of Trustees, Federal Hospital Insurance Trust Fund, transmitting the 2010 Annual Report of the Board of Trustees of the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 111-138); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. STUPAK (for himself and Mr. KAGEN):

H.R. 6082. A bill to amend the Internal Revenue Code of 1986 to allow an exemption from tax for individuals with gross income of not more than \$50,000; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. DAVIS of Alabama, Mr. PITTS, Mr. LIPINSKI, and Mr. FATTAH):

H.R. 6083. A bill to amend the Stem Cell Therapeutic and Research Act of 2005; to the Committee on Energy and Commerce.

By Mrs. BONO MACK (for herself, Mr. MACK, Ms. ROS-LEHTINEN, Mr. THOMPSON of California, Mr. BLUMENAUER, Mr. COHEN, Mr. YARMUTH, Mr. PUTNAM, Mr. PAULSEN, Mr. SCHOCK, Mr. RYAN of Wisconsin, Mr. SMITH of Texas, Mrs. LUMMIS, Mr. DENT, Mr. BURTON of Indiana, Mr. TERRY, Mr. BACHUS, Ms. DeGETTE, Mr. HOLT, Mr. PETRI, Mr. ROYCE, Mr. ROHRBACHER, Mr. KING of Iowa, Mr. CALVERT, Mr. GUTIERREZ, Mr. SERRANO, Mrs. CAPPS, Mr. SHUSTER, Mr. ROE of Ten-

nessee, Mr. BUCHANAN, Mr. ROONEY, Mr. JORDAN of Ohio, Mr. CHAFFETZ, Mr. LUETKEMEYER, Mr. TURNER, Mr. FARR, Mrs. SCHMIDT, Ms. SCHAKOWSKY, Mr. CROWLEY, Mr. ENGEL, and Mr. MCCAUL):

H.R. 6084. A bill to award a congressional gold medal to Greg Mortenson, in recognition of his humanitarian work in Asia and elsewhere; to the Committee on Financial Services.

By Mrs. MALONEY (for herself, Mr. POE of Texas, Ms. RICHARDSON, Mr. COHEN, and Mr. GORDON of Tennessee):

H.R. 6085. A bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry, and for other purposes; to the Committee on the Judiciary.

By Mr. TOWNS:

H.R. 6086. A bill to amend the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUCAS (for himself, Mrs. LUMMIS, Mr. MORAN of Kansas, Mr. CONAWAY, Mr. ROE of Tennessee, Mr. GRAVES of Missouri, and Mr. KING of Iowa):

H.R. 6087. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides; to the Committee on Agriculture.

By Ms. SHEA-PORTER:

H.R. 6088. A bill to provide for temporary alternative State "on" and "off" indicators under the Federal-State Extended Unemployment Compensation Act of 1970, and for other purposes; to the Committee on Ways and Means.

By Mrs. BACHMANN:

H.R. 6089. A bill to amend the Internal Revenue Code of 1986 to eliminate any time limitation for granting equitable innocent spouse relief; to the Committee on Ways and Means.

By Ms. JACKSON LEE of Texas (for herself, Mr. PIERLUISI, Mr. PAYNE, Mr. MCGOVERN, Mr. RUSH, Mr. RANGEL, Mr. DAVIS of Illinois, Mr. GUTIERREZ, Mr. CARNAHAN, Mr. CONYERS, Mr. GONZALEZ, Ms. LEE of California, Mr. HONDA, Mr. HASTINGS of Florida, and Ms. KAPTUR):

H.R. 6090. A bill to reauthorize and amend part EE of the Omnibus Crime Control and Safe Streets Act of 1968 relating to drug courts; to the Committee on the Judiciary.

By Ms. BERKLEY (for herself, Mr. McDERMOTT, Ms. RICHARDSON, Mr. HARE, Ms. WATSON, Mr. LEWIS of Georgia, Ms. KILPATRICK of Michigan, Mr. KILDEE, Mr. DOYLE, Ms. LINDA T. SANCHEZ of California, Ms. SCHAKOWSKY, Mr. FILNER, and Mr. FRANK of Massachusetts):

H.R. 6091. A bill to provide for further additional emergency unemployment compensation; to the Committee on Ways and Means.

By Mr. BISHOP of New York:

H.R. 6092. A bill to amend the Atlantic Striped Bass Conservation Act to allow recreational fishing for Atlantic Striped Bass in the Block Island Sound transit zone; to the Committee on Natural Resources.



By Mr. BRADY of Pennsylvania (for himself and Mr. CAPUANO):

H.R. 6093. A bill to ensure the continuation of certain security activities of the United States Capitol Police; to the Committee on House Administration.

By Mr. CASSIDY:

H.R. 6094. A bill to establish the National Commission on Outer Continental Shelf Oil Spill Prevention; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DINGELL:

H.R. 6095. A bill to amend title XVIII of the Social Security Act to preserve integrated care for durable medical equipment under the competitive bidding program for qualified hospital-related DME entities; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EDWARDS of Texas:

H.R. 6096. A bill to rescind certain amounts appropriated to the Bureau of the Census, to reduce the Federal budget deficit, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER (for himself and Ms. BERKLEY):

H.R. 6097. A bill to amend the Internal Revenue Code of 1986 to modify timing rules for determining gross income with respect to certain construction contracts; to the Committee on Ways and Means.

By Mrs. MALONEY (for herself and Mr. FRANK of Massachusetts):

H.R. 6098. A bill to amend title 31, United States Code, to ensure that persons who form corporations in the United States disclose the beneficial owners of those corporations, in order to prevent wrongdoers from exploiting United States corporations for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations, and for other purposes; to the Committee on Financial Services.

By Mr. NEAL of Massachusetts (for himself, Mr. STARK, Ms. SCHWARTZ, and Mr. BLUMENAUER):

H.R. 6099. A bill to amend the Internal Revenue Code of 1986 to expand personal saving and retirement savings coverage by enabling employees not covered by qualifying retirement plans to save for retirement through automatic IRA arrangements, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMEROY (for himself and Ms. HERSETH SANDLIN):

H.R. 6100. A bill to establish a commission to conduct a study and provide recommendations on a comprehensive resolution of impacts caused to certain Indian tribes by the Pick-Sloan Program; to the Committee on Natural Resources.

By Mr. SESTAK:

H.R. 6101. A bill to amend part A of title IV of the Energy Conservation and Production Act to require the Secretary of Energy to de-

termine whether there are systemic impediments to carrying out the weatherization program under that part, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TAYLOR (for himself, Mr. AKIN, and Mr. MARSHALL):

H.R. 6102. A bill to amend the National Defense Authorization Act for Fiscal Year 2010 to extend the authority of the Secretary of the Navy to enter into multiyear contracts for F/A-18E, F/A-18F, and EA-18G aircraft; to the Committee on Armed Services.

By Mr. TEAGUE:

H.R. 6103. A bill to amend title 38, United States Code, to require the Secretary of Labor to publish on an Internet website certain information about the number of veterans who are employed by Federal contractors; to the Committee on Veterans' Affairs.

By Mr. TERRY:

H.R. 6104. A bill to amend title 4, United States Code, to authorize members of the Armed Forces not in uniform and veterans to render a military salute during the recitation of the pledge of allegiance; to the Committee on the Judiciary.

By Mr. TONKO (for himself and Mr. ETHERIDGE):

H.R. 6105. A bill to amend the Internal Revenue Code of 1986 to extend the payroll tax relief under the HIRE Act, and for other purposes; to the Committee on Ways and Means.

By Mr. WEINER (for himself and Mr. BILBRAY):

H.R. 6106. A bill to direct the Secretary of Education to establish a clearinghouse of information on best practices for ocean life-guard training programs; to the Committee on Education and Labor.

By Mr. SMITH of Texas (for himself, Mr. FRANKS of Arizona, Mr. JORDAN of Ohio, Mr. KING of Iowa, Mr. AKIN, Mr. CHAFFETZ, Mr. LAMBORN, Mr. LATTA, Mr. SENSENBRENNER, Mr. PITTS, Mr. JONES, Mrs. BACHMANN, Mr. FLEMING, Mr. GINGREY of Georgia, Mr. BACHUS, Mr. HOEKSTRA, Mr. MARCHANT, and Mr. ADERHOLT):

H. Res. 1607. A resolution disapproving Judge Walker's Proposition 8 Decision on Same-Sex Marriage; to the Committee on the Judiciary.

By Mr. DJOU:

H. Res. 1608. A resolution condemning the detainment of a South Korea fishing ship by North Korea and the continued provocation by the North Korean military; to the Committee on Foreign Affairs.

By Mr. SESTAK (for himself, Mr. DUNCAN, Mrs. MCCARTHY of New York, and Mr. PERRIELLO):

H. Res. 1609. A resolution recognizing the 20th anniversary of the enactment of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; to the Committee on Education and Labor.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 43: Mr. HIMES.  
H.R. 147: Mr. SCOTT of Virginia.  
H.R. 205: Mr. AUSTRIA.  
H.R. 231: Ms. WATSON.  
H.R. 272: Mrs. CAPITO.  
H.R. 275: Mr. PRICE of Georgia.  
H.R. 571: Mr. OBERSTAR, Mr. HARE, Mr. THOMPSON of Pennsylvania, Mr. KUCINICH, Mr. CASSIDY, Mr. SCALISE, Mr. DUNCAN, Mr. STUPAK, and Mr. MELANCON.  
H.R. 649: Mr. BILIRAKIS.  
H.R. 690: Mrs. KIRKPATRICK of Arizona.  
H.R. 795: Mr. COHEN.

H.R. 950: Mr. ROTHMAN of New Jersey and Mr. SIRES.

H.R. 1021: Mr. ALEXANDER.

H.R. 1193: Mr. TONKO.

H.R. 1200: Ms. SCHAKOWSKY.

H.R. 1269: Mrs. BACHMANN and Mr. GINGREY of Georgia.

H.R. 1310: Mr. GARAMENDI.

H.R. 1339: Mr. MELANCON.

H.R. 1361: Ms. MOORE of Wisconsin.

H.R. 1362: Mr. COSTA.

H.R. 1410: Mr. HASTINGS of Florida.

H.R. 1458: Ms. SCHAKOWSKY.

H.R. 1547: Mr. BRALEY of Iowa, Mr. SNYDER, and Mr. HALL of Texas.

H.R. 1549: Ms. JACKSON LEE of Texas, Mrs. NAPOLITANO, and Mr. DAVIS of Illinois.

H.R. 1684: Mr. GARY G. MILLER of California.

H.R. 1806: Mr. GONZALEZ, Ms. CHU, and Mr. GORDON of Tennessee.

H.R. 1826: Mr. GONZALEZ.

H.R. 1829: Mr. COHEN.

H.R. 1844: Mr. BRADY of Pennsylvania and Mr. EDWARDS of Texas.

H.R. 1923: Mr. ALTMIRE.

H.R. 1961: Mr. BACA.

H.R. 2000: Mr. ARCURI, Mr. YARMUTH, Mr. CARDOZO, Mr. NEAL of Massachusetts, Mr. BOUSTANY, Mrs. CAPITO, Mr. SPACE, Mr. WHITFIELD, Mr. SESSIONS, Mr. SHUSTER, and Mr. BILBRAY.

H.R. 2030: Mr. McDERMOTT.

H.R. 2138: Mr. DEFazio.

H.R. 2149: Mr. COBLE.

H.R. 2262: Mr. PLATTS.

H.R. 2275: Mr. COHEN and Mr. LIPINSKI.

H.R. 2305: Mr. GARRETT of New Jersey.

H.R. 2378: Mr. KANJORSKI.

H.R. 2381: Mr. HINCHey.

H.R. 2648: Mr. PRICE of North Carolina.

H.R. 2709: Mr. LEVIN.

H.R. 2853: Mr. KAGEN.

H.R. 2941: Mr. CASTLE, Mr. HODES, and Mr. RAHALL.

H.R. 2999: Ms. SCHAKOWSKY.

H.R. 3006: Mr. SCOTT of Virginia.

H.R. 3047: Ms. CHU.

H.R. 3054: Mr. DEUTCH.

H.R. 3140: Mr. CALVERT.

H.R. 3212: Mrs. MALONEY.

H.R. 3251: Mr. CALVERT.

H.R. 3301: Mr. NEUGEBAUER.

H.R. 3308: Ms. KOSMAS.

H.R. 3365: Mr. KISSELL.

H.R. 3441: Mr. TEAGUE.

H.R. 3464: Mr. WILSON of Ohio, Mr. WALZ, and Mr. WELCH.

H.R. 3488: Ms. RICHARDSON.

H.R. 3666: Mr. CASTLE.

H.R. 3668: Mr. CONYERS.

H.R. 3729: Mr. SESTAK.

H.R. 3752: Mr. BOUCHER.

H.R. 3765: Mr. FORTENBERRY and Mr. CALVERT.

H.R. 3787: Mr. KAGEN.

H.R. 3790: Ms. GRANGER.

H.R. 3928: Mr. PRICE of North Carolina.

H.R. 3974: Mr. FALEOMAVAEGA, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. LYNCH, and Mr. ELLISON.

H.R. 4037: Ms. ESHOO.

H.R. 4085: Mr. GRIJALVA.

H.R. 4121: Mr. KAGEN, Mr. WALZ, and Mr. MITCHELL.

H.R. 4197: Mr. ROTHMAN of New Jersey, Mr. HOLT, and Mr. PALLONE.

H.R. 4278: Mr. HONDA.

H.R. 4306: Mr. POSEY.

H.R. 4430: Mrs. BACHMANN.

H.R. 4463: Mr. LATTA.

H.R. 4497: Mr. PUTNAM.

H.R. 4602: Mr. AUSTRIA, Mr. DRIEHAUS, Ms. FUDGE, Mr. JORDAN of Ohio, Ms. KAPTUR, Mr. LATOURETTE, Ms. KILROY, Mr. RYAN of Ohio, Mrs. SCHMIDT, Mr. SPACE, Ms. SUTTON, Mr. TIBERI, Mr. TURNER, Mr. WILSON of Ohio, and Mr. KUCINICH.

H.R. 4642: Mr. HINCHEY.  
 H.R. 4645: Ms. WATERS.  
 H.R. 4671: Mr. SHIMKUS.  
 H.R. 4682: Mr. CAPUANO.  
 H.R. 4753: Mr. SKELTON.  
 H.R. 4787: Mr. DOYLE.  
 H.R. 4808: Mr. GUTIERREZ, Mr. BISHOP of New York, Mr. CAPUANO, and Ms. KILPATRICK of Michigan.  
 H.R. 4846: Ms. LEE of California.  
 H.R. 4888: Mr. DANIEL E. LUNGREN of California.  
 H.R. 4925: Ms. HERSETH SANDLIN.  
 H.R. 4939: Mr. GERLACH.  
 H.R. 4940: Mr. SKELTON.  
 H.R. 4941: Mrs. MILLER of Michigan.  
 H.R. 4986: Ms. BERKLEY and Mr. MCCOTTER.  
 H.R. 5023: Ms. HERSETH SANDLIN.  
 H.R. 5032: Mr. COHEN, Mr. MCMAHON, and Mr. NYE.  
 H.R. 5040: Mr. TOWNS, Ms. MCCOLLUM, and Mr. JACKSON of Illinois.  
 H.R. 5043: Ms. SCHAKOWSKY.  
 H.R. 5058: Mr. OLSON.  
 H.R. 5111: Mr. MCCAUL.  
 H.R. 5117: Mr. COHEN, Ms. MCCOLLUM, and Ms. GIFFORDS.  
 H.R. 5162: Mr. DANIEL E. LUNGREN of California, Mr. BLUNT, Mr. MCKEON, Mr. DAVIS of Kentucky, and Mr. SALAZAR.  
 H.R. 5191: Mr. LEWIS of Georgia.  
 H.R. 5244: Mr. SHULER.  
 H.R. 5268: Mr. COHEN and Mr. GARAMENDI.  
 H.R. 5318: Mr. BARRETT of South Carolina.  
 H.R. 5400: Mr. KAGEN and Mr. MITCHELL.  
 H.R. 5424: Mr. CALVERT and Mr. GRAVES of Missouri.  
 H.R. 5428: Mr. COBLE.  
 H.R. 5434: Ms. CHU and Mr. HIMES.  
 H.R. 5449: Mr. MURPHY of New York.  
 H.R. 5462: Mr. KING of New York, Mr. KIRK, Mr. MILLER of North Carolina, Ms. LEE of California, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, and Mr. McDERMOTT.  
 H.R. 5477: Ms. WOOLSEY.  
 H.R. 5504: Mrs. NAPOLITANO, Mr. MOORE of Kansas, Mr. RANGEL, Mr. COHEN, and Ms. RICHARDSON.  
 H.R. 5527: Mr. BLUMENAUER.  
 H.R. 5549: Mr. WALZ and Mr. MITCHELL.  
 H.R. 5597: Mr. DAVIS of Illinois and Ms. JENKINS.  
 H.R. 5625: Mr. WALZ.  
 H.R. 5628: Mr. FILNER.  
 H.R. 5631: Mr. CLEAVER.  
 H.R. 5643: Ms. NORTON, Mr. HONDA, and Mr. FARR.  
 H.R. 5678: Mr. COHEN.  
 H.R. 5718: Mr. BLUMENAUER and Mr. TOWNS.

H.R. 5735: Ms. TITUS.  
 H.R. 5746: Ms. WASSERMAN SCHULTZ, Mr. BLUMENAUER, Ms. TITUS, Mr. BACA, Mr. WU, Ms. DELAURO, Mr. SESTAK, Mr. MCNERNEY, Mr. KILDEE, and Mr. GRIJALVA.  
 H.R. 5766: Ms. PINGREE of Maine, Ms. HIRONO, Mr. INGLIS, and Mr. HEINRICH.  
 H.R. 5769: Mr. GORDON of Tennessee.  
 H.R. 5778: Mr. HARE, Mr. PLATTS, and Mr. KAGEN.  
 H.R. 5786: Ms. WOOLSEY, Mr. BLUMENAUER, and Ms. CHU.  
 H.R. 5808: Mr. LYNCH.  
 H.R. 5829: Mr. FORTENBERRY, Mr. PRICE of North Carolina, and Mr. COHEN.  
 H.R. 5841: Mr. MARKEY of Massachusetts.  
 H.R. 5842: Mr. GARY G. MILLER of California and Mr. BROUN of Georgia.  
 H.R. 5858: Ms. LEE of California and Ms. RICHARDSON.  
 H.R. 5882: Mr. BURTON of Indiana and Mr. ALEXANDER.  
 H.R. 5898: Mr. HARE and Mr. SESTAK.  
 H.R. 5899: Mrs. EMERSON.  
 H.R. 5924: Mr. BOOZMAN.  
 H.R. 5928: Mr. KAGEN, Mr. GARAMENDI, and Mr. MITCHELL.  
 H.R. 5933: Mr. WALZ.  
 H.R. 5939: Mr. CALVERT, Mr. LATHAM, Mr. CARNEY, and Mr. CHAFFETZ.  
 H.R. 5950: Mr. LARSON of Connecticut.  
 H.R. 5967: Mrs. MCCARTHY of New York and Ms. ESHOO.  
 H.R. 5972: Mr. SENSENBRENNER.  
 H.R. 5987: Mr. REYES, Ms. KILROY, Mr. HIGGINS, and Mr. BOCCIERI.  
 H.R. 5993: Mr. GARAMENDI.  
 H.R. 6006: Mr. STUPAK, Ms. KAPTUR, and Ms. MCCOLLUM.  
 H.R. 6037: Mrs. BLACKBURN.  
 H.R. 6043: Mr. HIMES.  
 H.R. 6046: Mr. TURNER, Mr. HARPER, Mr. THOMPSON of Mississippi, Mr. RYAN of Ohio, Mrs. MILLER of Michigan, Mr. LATOURETTE, Mr. AUSTRIA, Mr. CHILDERS, Mr. TIBERI, Mr. BOCCIERI, and Ms. SUTTON.  
 H.R. 6072: Mrs. MALONEY.  
 H.R. 6078: Mr. REYES.  
 H.R. 6080: Mr. EDWARDS of Texas.  
 H.R. 6081: Mr. HIMES.  
 H.J. Res. 41: Mr. CALVERT.  
 H.J. Res. 42: Mr. COFFMAN of Colorado.  
 H. Con. Res. 49: Mr. GRAVES of Georgia.  
 H. Con. Res. 50: Mr. COHEN.  
 H. Con. Res. 259: Ms. SLAUGHTER.  
 H. Con. Res. 274: Mr. YOUNG of Florida.  
 H. Con. Res. 311: Mr. GARAMENDI, Mr. SHULER, Mr. GRAVES of Missouri, Mr. MCMAHON, Mr. THOMPSON of Mississippi, Mr.

ISSA, Mr. COBLE, Mrs. DAHLKEMPER, Mr. BACHUS, Mr. SMITH of Texas, Mr. LATHAM, Mr. MELANCON, Mr. TAYLOR, Mr. BOCCIERI, and Mrs. MCMORRIS RODGERS.  
 H. Res. 93: Mr. ORTIZ.  
 H. Res. 111: Mr. GENE GREEN of Texas and Mr. WATT.  
 H. Res. 173: Mr. JACKSON of Illinois.  
 H. Res. 771: Mr. KIND.  
 H. Res. 899: Mr. LAMBORN and Mr. WALZ.  
 H. Res. 1226: Mr. BUCHANAN, Mrs. MYRICK, and Mr. DEUTCH.  
 H. Res. 1264: Mr. BUCHANAN.  
 H. Res. 1355: Mr. MARKEY of Massachusetts.  
 H. Res. 1371: Mr. DJOU.  
 H. Res. 1402: Mr. DICKS.  
 H. Res. 1431: Mr. QUIGLEY, Ms. GRANGER, Mr. GOHMERT, Mr. FATTAH, Mr. CALVERT, and Mr. BRADY of Texas.  
 H. Res. 1444: Mr. HOLT and Ms. WASSERMAN SCHULTZ.  
 H. Res. 1479: Mr. CONNOLLY of Virginia.  
 H. Res. 1494: Mr. ISRAEL and Mr. ADERHOLT.  
 H. Res. 1503: Mr. SESTAK.  
 H. Res. 1518: Mr. GORDON of Tennessee, Mr. FARR, Ms. MOORE of Wisconsin, and Mr. SCHIFF.  
 H. Res. 1524: Mr. BERMAN, Mr. HINOJOSA, and Mr. GARAMENDI.  
 H. Res. 1529: Mr. MAFFEI, Mr. HIGGINS, and Mr. CROWLEY.  
 H. Res. 1551: Ms. BORDALLO.  
 H. Res. 1582: Mr. STARK, Ms. CASTOR of Florida, Mr. RAHALL, and Mr. SHERMAN.  
 H. Res. 1595: Mr. McDERMOTT, Mr. BOEHNER, Mr. LANCE, Mr. GARRETT of New Jersey, Mr. ETHERIDGE, Ms. BEAN, Mr. WELCH, and Mr. GUTHRIE.

#### DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 12, August 10, 2010, by Mr. HERGER on the bill H.R. 5424, was signed by the following Members: Wally Herger, Charles W. Dent, Sam Johnson, Kevin McCarthy, Jim Gerlach, Steve Buyer, John R. Carter, David P. Roe, Frank A. LoBiondo, Kevin Brady, Bob Goodlatte, Michael T. McCaul, Tom Price, Geoff Davis, Patrick J. Tiberi, Thaddeus G. McCotter, Glenn Thompson, Donald A. Manzullo, Blaine Luetkemeyer, Eric Cantor, Gregg Harper, Judy Biggert, Pete Sessions, Greg Walden, Bill Cassidy, John Boozman, Ted Poe, and Rob Bishop.